



# Ceylon Government Gazette

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PART II.—Legal and Judicial.

PART III.—Provincial Administration.

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## Part II.—Legal and Judicial.

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## PASSED ORDINANCES.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 10 of 1905.

An Ordinance to amend "The Stamp Ordinance, 1890."

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to amend "The Stamp Ordinance, 1890," which is hereinafter referred to as "the principal Ordinance," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Stamp (Amendment) Ordinance, 1905," and shall be read as one with the principal Ordinance, and this Ordinance and the principal Ordinance may be cited together as "The Stamp Ordinances, 1890 and 1905."

Exemption of  
Crown grants  
from stamp duty.

2 (1) So much of the proviso under the heading "Exemptions from the preceding and all other Stamp Duties" in Part I. of Schedule B to the principal Ordinance as relates to grants of land made by Her Majesty or her successors is hereby repealed.

(2) There shall be added to the said proviso the following words, namely :

Provided further that where any grant of land shall be made by His Majesty or his successors no stamp duty shall be chargeable either on the original instrument by which such grant is made or on any duplicate or counterpart thereof.

Commencement.

3 This Ordinance shall come into operation at such date as the Governor shall, by Proclamation to be published in the *Government Gazette*, appoint.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 11 of 1905.

An Ordinance for making further provision for the Supplementary Contingent Charges for the Year 1904.

A. M. ASHMORE.

Preamble.

WHEREAS by Ordinance No. 24 of 1904 it was enacted that a sum not exceeding Two million Four hundred and Seventy thousand Six hundred and Seventy-seven rupees and Eleven cents should be charged upon the revenue of this island for the Supplementary Contingent Services of the year One thousand Nine hundred and Four, in addition to the sum of Twenty-one million Five hundred and Seventy-four thousand Five hundred and fifty-two rupees provided by the Ordinance No. 13 of 1903: And whereas an expenditure of Two million Four hundred and Eighty-nine thousand Nine hundred and Twenty-seven rupees and Ninety-two cents was incurred and brought to account for the Contingent Services of the year 1904, for which provision is not made by the aforesaid Ordinances: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Rs. 2,489,927-92  
to be charged  
upon the revenue  
of the island for  
the further  
Supplementary  
Contingent  
Charges for the  
year 1904.

1 That a sum not exceeding Two million Four hundred and Eighty-nine thousand Nine hundred and Twenty-seven rupees and Ninety-two cents shall be and the same is hereby charged upon the revenue of this island and other funds of the colony for the services hereinafter mentioned; and the said expenditure shall be in conformity with the details of the estimates specified in the Schedule A. hereunto annexed, whereof the following is an abstract :

	Rs.	c.
Charges on account of Public Debt	142,542	68
Port and Marine, Colombo :—		
Master Attendant, Colombo	4,526	28
Miscellaneous Services	136,704	85
Railway Services	1,133,587	34
Irrigation	17,500	0
Public Works Extraordinary	1,055,066	77
Total	2,489,927	92

SCHEDULE A.			
CHARGES ON ACCOUNT OF PUBLIC DEBT.	Rs.	c.	Rs. c.
Crown Agents, London ...	—	—	142,542 68
PORT AND MARINE DEPARTMENT, COLOMBO.			
Master Attendant, Colombo :—			
Other Charges ...	...	—	4,526 28
MISCELLANEOUS SERVICES.			
Treasurer ...	...	—	136,704 85
RAILWAY DEPARTMENT.			
Railway Construction ...	1,125,000	0	
Capital Charges ...	8,587	34	
			1,133,587 34
IRRIGATION DEPARTMENT.			
Amount required to make up moiety of the expenditure from Loan and Revenue ...		—	17,500 0
PUBLIC WORKS EXTRAORDINARY.			
New Works and Buildings :—			
Construction of oil and plumbago jetties ...	9,378	22	
Alterations and Additions to Buildings :—			
Mahara Jail ...	20,158	39	
Lands and Buildings to be acquired :—			
Purchase of "Eddystone" House ...	10,000	0	
New Roads :—			
Feeder roads to railway ...	10,447	95	
Approach roads to railway stations ...	5,082	21	
MISCELLANEOUS.			
Duplication of water main ...	1,000,000	0	
			1,055,066 77
			2,489,927 92

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 12 of 1905.

An Ordinance for regulating the Business of Dealers  
in Old Metal.

A. M. ASHMORE.

Preamble.

WHEREAS the business of dealers in old metal affords facilities for the disposal of stolen goods, and it is expedient that the same should be regulated in order to diminish such facilities: Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Old Metal Ordinance, 1905."

Interpretation  
of terms.

2 In the construction and for the purposes of this Ordinance :

“Dealer in old metal” means any person dealing in, buying, or selling old metal of any kind or description, scrap metal, broken metal, or partly manufactured metal goods, or defaced or old metal goods, or portions of machinery, and whether such person deals in such articles only or together with other things.

“Old metal” means the said articles or any of them.

Penalty on  
dealer in old  
metal being in  
possession of  
stolen property.

3 (1) It shall be lawful for any police magistrate, on complaint made before him, upon oath or affirmation, that the complainant has reason to believe and does believe that any old metal, stolen or unlawfully obtained, is kept in any house, shop, room, or place by any dealer in old metal, to give authority by special warrant to any constable or police officer to enter in the daytime such house, shop, room, or place, with such assistance as may be necessary, and to search for and seize all such old metal there found, and to carry all the articles so seized before the magistrate issuing the warrant, or some other police magistrate.

(2) Such magistrate shall thereupon issue a summons requiring such dealer to appear before him at a time and place to be named in such summons ; and if such dealer does not then and there prove to the satisfaction of such magistrate how he came by the said articles, or if any such dealer is found in the possession of any old metal which has been stolen or unlawfully obtained, and, on his being taken or summoned before a police magistrate, it is proved to the satisfaction of such magistrate that at the time when he received it he had reasonable cause to believe it to have been stolen or unlawfully obtained, then in either of such cases such dealer shall be liable to a penalty not exceeding fifty rupees, and for any subsequent offence to a penalty not exceeding two hundred rupees, or, in the discretion of the magistrate, in the case of such second or subsequent offence shall be liable to imprisonment, with or without hard labour, for any term not exceeding three months : Provided always that nothing herein contained shall interfere with or affect any proceeding by indictment to which such dealer in old metal may be liable for feloniously and knowingly receiving stolen goods, but no person shall be prosecuted by indictment and also proceeded against under this Ordinance for the same offence.

Power to order  
dealer to be  
registered after  
conviction.

4 (1) When any dealer in old metal is convicted of either of the offences aforesaid it shall be lawful for such magistrate, or, on proof of such conviction, for any other magistrate of the same province, to order and direct that such dealer shall be registered at the principal police office of such province in a book to be kept by the superintendent of police of such province for such purpose, according to the form No. 1 contained in the first schedule to this Ordinance.

(2) From and after such registration such dealer shall be subject to and shall conform to the several regulations hereinafter provided for such period, not exceeding three years, as such magistrate may order, and if such dealer during such period is convicted of any offence under this Ordinance the magistrate so convicting him may order the period for which he is then subject to such regulations to be extended for not more than three years from the time when such period would otherwise expire.

Giving of notice  
by registered  
dealer of change  
of place of  
business.

5 (1) Every dealer in old metal who is subject to the regulations of this Ordinance as aforesaid shall, upon removing to any other place of business, give notice of such removal at the police station where he is registered, and if he continues to carry on business as a dealer in old metal without giving such notice he shall incur a penalty not exceeding fifty rupees and a penalty not exceeding five rupees for every day after the first on which he continues to carry on such business without giving such notice.

(2) Where such dealer removes to any place out of the province in which he has been registered it shall be the duty of the superintendent of police for such province to transmit a certificate of such registration signed by himself, which shall be evidence of such registration, together with a certified copy of any order of a police magistrate as to the period for which such dealer is to be subject to the regulations of this Ordinance, to the superintendent of police of the province in which such dealer has taken up his residence.

(3) Any police magistrate of such province may thereupon issue a summons to such dealer to appear before him, and if it appears to such magistrate that he intends to carry on business as a dealer in old metal such magistrate may order him to be registered in the same manner as is provided in the last preceding section, and such registration shall have the same effect during the period for which such dealer is to be subject to the regulations of this Ordinance by any order of a police magistrate as aforesaid as in the said section is provided.

Power of  
visiting place of  
business of  
registered  
dealer.

6 It shall be lawful for any magistrate, by order in writing, to authorize one or more inspectors or sergeants of police to visit at any time the places of business and inspect the goods and books of dealers in old metal who are subject to the regulations of this Ordinance as aforesaid and who carry on business within the division of the province for which such magistrate acts; and every such inspector or sergeant shall, and is hereby empowered, to record, in the book hereinafter required to be kept by every such dealer in old metal, the day and hour of his visit, and to place opposite the entry of every article examined by him his name or initials in attestation of the same.

Regulations to  
be observed by  
registered  
dealer.

7 (1) Every dealer in old metal who is registered as aforesaid shall, during the period which a police magistrate may order as hereinbefore provided, conform to the following regulations, that is to say :

- (a) He shall keep a book or books fairly written, and shall enter therein, according to the form No. 2 contained in the schedule to this Ordinance, an account of all such old metal as he may from time to time become possessed of, stating in respect of each article the name of the person who purchased or received the same, and the time at which and the name of the person from whom he purchased or received the same, adding, in the case of every such last-mentioned person, a description of his business and place of abode; and he shall also enter in such book or books, according to the form No. 3 contained in the said schedule, an account of all such old metal as he may from time to time sell or dispose of, stating in respect of such old metal the name of the person to whom he sold or disposed of the same, adding a description of his business and place of abode; and every such entry in any such book shall be deemed and taken, unless the contrary is shown, to have been made by or with the authority of the dealer in old metal to whom such book belongs
- (b) He shall not, by himself or by any other person, purchase or receive any old metal of any description before the hour of seven o'clock in the morning nor after the hour of six o'clock in the evening, nor shall he, by himself or by any other person, purchase or receive old metal of any description from any person apparently under the age of sixteen years, nor shall he employ any servant or apprentice or any other person under the age of twelve years to purchase or receive old metal of any description;
- (c) He shall produce to any inspector or sergeant of police authorized as in the last preceding section provided, whenever thereto requested, the book or books

required to be kept as aforesaid and any old metal purchased or received by him then in his possession.

- (d) He shall without delay give notice to the officer on duty at the police station nearest to the place where he carries on business of any articles then in his possession, or which may thereafter come into his possession, answering the description of any articles which have been stolen, embezzled, or fraudulently obtained, of which printed or written information containing a description of such articles is given to him by any officer of police; and
- (e) He shall keep all old metal purchased or received by him without changing the form in which the articles comprising the same were when so purchased, or disposing of the same in any way, for a period of forty-eight hours after such articles have been purchased or received.

(2) For any act or default contrary to the foregoing regulations done or made by any registered dealer in old metal during the period which a police magistrate may order as hereinbefore provided he shall incur a penalty not less than ten rupees and not exceeding fifty rupees, and for every subsequent offence a penalty of not less than fifty rupees and not exceeding two hundred rupees.

(3) And all old metal seized under the provisions of this Ordinance may be confiscated

Confiscation of property (Ordinance No. 6 of 1890, section 17).

Penalty on dealer found in possession of stores and not accounting for them.

8 If stores are found in the possession or keeping of a person being in His Majesty's service or in the service of a public department, or being a dealer in marine stores or in old metals, or a pawnbroker (within the meaning of any enactments for the time being in force relating to such dealers or to pawnbrokers), and he is taken or summoned before a police court and the court sees reasonable grounds for believing the stores found to be or to have been His Majesty's property, then, if such person does not satisfy the court that he came lawfully by the stores so found, he shall be liable on summary conviction to a penalty not exceeding fifty rupees.

Criminal possession defined.

9 For the purposes of this Ordinance stores shall be deemed to be in the possession or keeping of any person if he knowingly has them in the actual possession or keeping of any other person, or in any house, building, lodging, apartment, field, or place, open or enclosed, whether occupied by himself or not, and whether the same are so had for his own use or benefit or for the use or benefit of another.

Procedure and appeal.

10 All proceedings before any police magistrate under this Ordinance shall be conducted as near as may be according to the form of summary procedure, and shall be subject to the appeal provided by the Criminal Procedure Code for the time being in force in this colony; and all penalties imposed under this Ordinance shall be enforced as though they were fines enforceable under the provisions of the Criminal Procedure Code aforesaid.

Police Court to have jurisdiction.

11 (1) Any offence or breach of regulations under this Ordinance may be inquired into, tried, and determined by any police court within the district in which such offence or breach was committed wholly or in part, and such court shall have jurisdiction to award the maximum punishment prescribed therefor and to declare and adjudge any article liable to be confiscated under section 7 of this Ordinance forfeited, and to condemn the same, whatever may be the amount or value thereof, anything in the Criminal Procedure Code to the contrary notwithstanding.

(2) The police court imposing a penalty under this Ordinance may award to an informer any portion not exceeding a moiety thereof which may be actually recovered.

## SCHEDULE.

## Form No. 1.—Register of Dealers in Old Metal.

Name.	Place of Abode and Business.	Date of Conviction.	Date of Registration.	Period for which to be subject to Regulations of the Ordinance.

## Form No. 2.—Entry of Purchases and Receipts of Old Metal.

1 Name of Person who purchased or received.	2 Name of Person from whom purchased or received.	3 Business and place of abode of Person from whom purchased or received.	4 Description of Old Metal purchased or received.	5 Day of purchase or receipt and hour of day.

## Form No. 3.—Entry of Sales of Old Metal.

Name of Person to whom sold.	Business and Place of Abode or of business of Person to whom sold.	Description of Old Metal sold.	Day of Sale.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 13 of 1905.

An Ordinance to promote the Despatch of Public Business.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to promote the despatch of public business by providing that certain formal proceedings with regard to municipal and local government and with regard to the incorporation of joint stock companies and other matters shall no longer be submitted for sanction to or transacted by the Governor in Executive Council and in other respects: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Public Business Ordinance, 1905."

Sanction of the Governor in Executive Council not required to certain rates, &c., when re-imposed without alteration.

## 2 Whenever in any year—

- (1) Any municipal council, in making and assessing the rate on property authorized by section 127 of "The Municipal Councils' Ordinance, 1887," as amended by "The Municipal Councils' Amendment Ordinance, 1902," or in levying the tax on carriages, carts, hackeries, horses, ponies, mules, bullocks, and asses authorized by section 128 of the said amended Ordinance; or
- (2) Any local board of health and improvement, in imposing and levying the rate on the annual value of property authorized by section 30 of "The Local Boards' Ordinance, 1898;" or
- (3) Any board of health, in making and assessing the rate on property authorized by section 7 of "The Small Towns Sanitary Ordinance, 1892;" or
- (4) The Local Board of Nuwara Eliya, in making and assessing the rate on property authorized by section 15 of "The Nuwara Eliya Board of Improvement Ordinance, 1896," or in levying the tax on carriages, carts, hackeries, horses, ponies, mules, bullocks, and asses authorized by section 19 of the said Ordinance—

makes and assesses, imposes, or levies without alteration the same rate or tax as was in force during the preceding year, the sanction of the Governor in Executive Council shall not be required to the making, assessment, imposition, or levying of such rate or tax, the provisions of the above-named Ordinances or of any other Ordinance to the contrary notwithstanding.

Amendment of certain sections in Ordinances No. 7 of 1887, No. 18 of 1892, and No. 20 of 1896.

3 (1) In section 90 of "The Municipal Councils' Ordinance, 1887," for the words "the Governor in Executive Council" there shall be substituted the words "the Colonial Secretary."

(2) The words "to be laid before the Governor in Executive Council" in—

- (a) Section 6 of "The Small Towns Sanitary Ordinance, 1892;" and
- (b) Section 11 of "The Nuwara Eliya Board of Improvement Ordinance, 1896"—

are hereby repealed.

Repeal of words "with the advice of the Executive Council" and "with the advice and consent of the Executive Council" in certain enactments.

4 (1) The words "with the advice of the Executive Council" in—

- (a) Section 8 of Ordinance No. 10 of 1861;
- (b) The proviso added by Ordinance No. 10 of 1887 to section 23 of Ordinance No. 10 of 1861;
- (c) Section 12 of "The Land Acquisition Ordinance, 1876;"
- (d) Section 8 of "The Medical Wants Ordinance, 1880;"
- (e) Section 9 of the last-named Ordinance.
- (f) Section 39 of "The Village Communities' Ordinance, 1889;"
- (g) Section 3 of Ordinance No. 12 of 1894—

are hereby repealed.

(2) The words "in Executive Council" in—

- (a) Section 31 of "The Petroleum Ordinance, 1887;"
- (b) In section 115 of "The Municipal Councils' Ordinance, 1887;"
- (c) Section 119 of "The Municipal Councils' Ordinance, 1887;"
- (d) Section 121 of the last-mentioned Ordinance—

are hereby repealed.

(3) The words "with the advice and consent of the Executive Council" in section 22 of "The Butchers' Ordinance, 1893," are hereby repealed.



Amendment of section 14 of Ordinance No. 4 of 1861.

5 For section 14 of "The Joint Stock Companies' Ordinance, 1861," there shall be substituted the following section, namely:

14 In order to obtain incorporation, the memorandum of association, together with the articles of association (if any), shall be delivered to the registrar, who shall transmit the same to the Attorney-General for report, and shall cause the same to be published in the *Government Gazette* in three consecutive numbers. After such publication the registrar, if the Attorney-General certifies that there is no legal impediment to the incorporation of the company, shall declare the company to be incorporated by endorsing on the memorandum of association a declaration in the form following:

Whereas the subscribers to this memorandum have done all things to entitle them to incorporation as a company with limited (or unlimited, as the case may be) liability: Now know ye that I, A.B., Registrar of Companies, do, in terms of section 14 of "The Joint Stock Companies' Ordinance, 1861," as amended by section 5 of "The Public Business Ordinance, 1905," hereby declare the said subscribers and their successors to be incorporated as the \_\_\_\_\_ Company (Limited) under the provisions of "The Joint Stock Companies' Ordinance, 1861."

This \_\_\_\_ day of \_\_\_\_.

(Signed) \_\_\_\_\_,  
Registrar of Companies.

The registrar shall thereupon register the memorandum of association with the declaration endorsed thereon and the articles of association.

Addition of section to Ordinance No. 1 of 1844.

6 The following section shall be added to Ordinance No. 1 of 1844 and shall be numbered 15, namely:

15. The powers and duties by section one of this Ordinance assigned to government agents with regard to land within their respective provinces may be exercised and performed by assistant government agents with regard to land within their respective districts.

Amendment of section 9 of Ordinance No. 10 of 1844.

7 For the last proviso to section 9 of Ordinance No. 10 of 1844 there shall be substituted the following proviso, namely:

Provided that the applicant may appeal to the Governor in Executive Council against such refusal, and the Governor in Executive Council may confirm or reverse such refusal, and the decision of the Governor in Executive Council shall be final.

Amendment of section 18 of "The Loan Board Ordinance, 1865."

8 In sub-section (1) of section 18 of "The Loan Board Ordinance, 1865," for the words "as the Governor and Executive Council shall from time to time determine" there shall be substituted the words "as the Legislative Council shall by resolution sanctioned by the Governor determine."

Amendment of "The Amended Kandyan Marriage Ordinance, 1870."

9 In section 6 of "The Amended Kandyan Marriage Ordinance, 1870," the words "and the office assistant of the Government Agent of the Central Province shall be assistant provincial registrar for the district of Kandy" shall be inserted between the words "such portion as aforesaid" and the words "and the assistant government agent of each district."

Amendment of section 8 of "The Lunacy Ordinance, 1873."

10 In section 8 of Ordinance No. 1 of 1873 the word "order" shall be substituted for the word "warrant" in the ninth line of the said section.

Addition of section to Ordinance No. 30 of 1884.

11 The following section shall be added to Ordinance No. 30 of 1884, and shall be numbered 1 A, namely:

1 A. (1) The signature of the Colonial Secretary may be attached to duplicate or triplicate copies of Crown grants of land, for the purpose of having the same filed of record in the offices of the Colonial Secretary and of the Registrar-General, by means of a stamp or facsimile of his sign

manual attached in the presence of an officer specially appointed for the purpose by the Governor, who shall certify that the Colonial Secretary's signature was so attached in his presence.

(2) Copies so signed shall be deemed to be primary evidence of the Crown grant of which they purport to be copies within the meaning of section 62 of "The Ceylon Evidence Ordinance, 1895."

Amendment of section 15 of "The Village Communities Ordinance, 1889."

12 In section 15 of "The Village Communities' Ordinance, 1889," the words "and copies thereof shall be transmitted by the government agent to the Government" are hereby repealed.

Repeal of section 6 (2) of "The Gemming Ordinance, 1890."

13 Sub-section (2) of section 6 of "The Gemming Ordinance, 1890," is hereby repealed.

Amendment of section 9 of "The Licensing Ordinance, 1891."

14 In sub-section (4) of section 9 of "The Licensing Ordinance, 1891," the words "provided that such refusal shall with all despatch be reported to the Governor" are hereby repealed.

Amendment of section 25 of "The Police Ordinance, 1865."

15 In section 25 of "The Police Ordinance, 1865," for the words "subject to the approbation of the Governor and to the rules to be made as hereinafter provided" there shall be substituted the words "subject to the rules to be made as hereinafter provided."

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 14 of 1905.

An Ordinance to prohibit the destruction of Fish by means  
of Dynamite or other Explosives.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to prohibit the destruction of fish by means of dynamite or other explosives: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Fisheries (Dynamite) Ordinance, 1905."

Prohibition of use of dynamite for fishing.

2 Any person who uses any dynamite or other explosive substance to catch or destroy fish in any water within the island or at sea within one marine league of the coast shall be guilty of an offence, and shall be liable on conviction thereof to imprisonment of either description for a term not exceeding six months, or to a fine not exceeding one hundred rupees, or to both.

Place of trial of offences committed at sea.      3 Any offence committed against this Ordinance at sea shall be deemed to have been committed on the coast adjoining the sea, or to have been committed in any place where the offender is found, and may be tried and punished accordingly.

Procedure.      4 Every offence against this Ordinance shall be triable by a police magistrate, and shall be "cognizable" and "bailable" within the meaning of the Criminal Procedure Code, 1898.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 15 of 1905.

An Ordinance to amend "The Nuwara Eliya Board of  
Improvement Ordinance, 1896."

A. M. ASHMORE.

Preamble.      **W**HEREAS it is expedient to amend "The Nuwara Eliya Board of Improvement Ordinance, 1896," so far as it relates to the constitution of the Board of Improvement of Nuwara Eliya: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.      1 This Ordinance may be cited as "The Nuwara Eliya Board of Improvement Ordinance, 1905," and shall be read and construed as one with "The Nuwara Eliya Board of Improvement Ordinance, 1896" (hereinafter referred to as "the principal Ordinance"), and this Ordinance and the principal Ordinance may be cited together as "The Nuwara Eliya Board of Improvement Ordinances, 1896 and 1905."

Substitution of new section 4.      2 For section 4 of the principal Ordinance there shall be substituted the following section, namely:

4 (1) There shall be a Board of Improvement at Nuwara Eliya consisting of three official and three unofficial members. The official members shall consist of the government agent and two other persons to be appointed by the Governor. Provided, however, that the resident assistant government agent (if any), or if none, then some person to be appointed in writing by the government agent in that behalf, may exercise all the powers conferred and discharge all the duties imposed upon the government agent by this Ordinance. The official members appointed by the Governor shall hold office during the Governor's pleasure. The unofficial members shall be three persons to be nominated from time to time by the Governor, and shall hold office during the Governor's pleasure.

(2) The Board of Improvement as heretofore constituted shall continue to exercise the powers and perform the duties of the Board of Improvement of Nuwara Eliya

until the Governor shall notify in the *Government Gazette* that a Board of Improvement has been appointed for the town of Nuwara Eliya under this Ordinance; and upon such notification all rates, taxes, assessments, fines, recoveries, and incomings, and all money standing to the credit of the Board of Improvement of Nuwara Eliya as then constituted, and all money levied in the town of Nuwara Eliya under the authority of this Ordinance or which may be made over from time to time from the general revenue, shall be vested in the Board of Improvement as hereby constituted.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 16 of 1905.

An Ordinance amending the Law relating to Servants and  
Labourers.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to amend the Ordinance No. 11 of 1865, intituled "An Ordinance to consolidate and amend the Law relating to Servants, Labourers, and Journeymen Artificers under Contracts for Hire and Service," and hereinafter referred to as "the principal Ordinance;" Be it therefore enacted by the Governor of Ceylon, by and with the consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Servants' and Labourers' Ordinance, 1905," and this Ordinance and the principal Ordinance shall be read and construed together and may be cited collectively as "The Servants' and Labourers' Ordinances, 1865 and 1905."

Amendment of  
section 11 of  
Ordinance No. 11  
of 1865.

Servant  
refusing to work,  
&c., is guilty of  
misconduct.

2 For section 11 of the principal Ordinance the following section shall be substituted:

Any servant or journeyman artificer who, without reasonable cause, shall neglect or refuse to attend at and during the time and hours or at the place when and where he shall have contracted to attend, in commencing or carrying on any work, or, in case of no special agreement in that behalf, during such hours as, according to the trade or occupation of such servant or artificer, it shall be usual so to attend, or who, without reasonable cause, shall leave unfinished or refuse to finish any work contracted to be done, or who shall be guilty of any drunkenness, wilful disobedience of orders, insolence, or gross neglect of duty, or other misconduct in the service of his employer, or who shall quit the service of such employer without leave or reasonable cause, before the end of his term of service or previous warning as required by the third clause of this Ordinance,

or for such longer period as may be specially stipulated in his contract, shall be punishable by the police court of the district wherein such offence shall have been committed, or wherein the offender shall have been apprehended, with imprisonment of either description for a term which may extend to three months or with a fine not exceeding fifty rupees, or with both; and, further, such court may, at its discretion, order all wages then due to such offender to be forfeited if not exceeding the wages of one month or for the period of warning stipulated for.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 17 of 1905.

An Ordinance to prohibit the Cultivation and Possession of  
Indian Hemp.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to prohibit the cultivation and possession of Indian hemp: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Indian Hemp Ordinance, 1905."

Definition.

2 The term "Indian hemp" in this Ordinance includes all parts of the plants botanically known as *Cannabis indica* and *Cannabis sativa*.

Prohibition of cultivation, possession, &c., of Indian hemp.

3 Any person who within the Island of Ceylon shall plant, grow, cultivate, or permit to be planted, grown, or cultivated, or import or sell, or in any manner distribute, or knowingly keep or have in his possession Indian hemp, shall be guilty of an offence, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees or to imprisonment, simple or rigorous, not exceeding six months, or to both.

Presumption with regard to hemp found growing.

4 Whenever any Indian hemp is found growing upon any occupied land, the person in immediate occupation or charge of such land shall be deemed to have planted the same, unless he satisfies the court to the contrary.

Search warrants.

5 (1) If on information given on oath to any police magistrate it appears that there is reasonable cause for suspecting that any person is in possession of any Indian hemp, or that the same is kept or grown upon any premises contrary to the provisions of this Ordinance, such police magistrate may by warrant under his hand directed to any police officers or peace officers authorize such officers to enter and search such premises at any time of the day or night; and moreover, if he thinks fit, may specially authorize such officers, with or without assistants, after having made known their authority, to break open such premises or otherwise use force in order to effect an entry.

(2) If upon search made under this section any Indian hemp is found, the officers executing the warrant shall take possession of and secure the same and apprehend and bring before a police magistrate the person upon whom or in whose premises the same is found, to be dealt with according to law.

Reward to informer.

6 It shall be lawful for the court before which any person is convicted of an offence against this Ordinance to direct a portion of the fine actually recovered, not exceeding one-half, to be paid to any person giving information which has led to the conviction.

Certificate.

7 Any police officer or peace officer may without warrant arrest any person whom he finds committing any offence against this Ordinance, and shall seize all Indian hemp which may be in the possession of any person so arrested.

All persons arrested and all Indian hemp seized under this Ordinance shall forthwith be brought before the nearest police magistrate to be dealt with according to law.

The production of a certificate signed by the Director or by the Assistant Director of the Royal Botanic Gardens, Peradeniya, with regard to any substance alleged to be Indian hemp, shall be sufficient *prima facie* evidence of the facts therein stated, and no proof need be given of the signature or official character of the person signing the certificate.

Forfeiture of Indian hemp.

8 All Indian hemp in respect of which any person is charged under this Ordinance shall be forfeited and destroyed.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 18 of 1905.

An Ordinance for the better enforcement of certain Conditions  
in Sales of Leases of Arrack Rents.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to make better provision for the enforcement of certain conditions in sales or leases of arrack rents: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:—

Short title.

1 This Ordinance may be cited as "The Arrack Rents Ordinance, 1905."

Enforcement of stipulation regarding re-sale of rent on renter making default in observing conditions of sale.

2 Whenever by the conditions of sale under which the exclusive privilege of selling arrack or toddy (hereinafter referred to as "the rent") in any part of the island is sold or leased by the Crown it has been or shall be stipulated, whether before or after the passing of this Ordinance, that on default by the purchaser or lessee (hereinafter called "the renter") in the performance of all or any of the con-

ditions contained in the said conditions of sale, the government agent shall be at liberty to re-enter upon the rent or to sell the same, or so much of the term thereof as may be unexpired, the government agent may enforce such stipulation in manner hereinafter appearing.

Notice to renter of intention to re-sell.

3 Before re-entering upon or re-selling the rent the government agent shall give the renter notice in writing, which may be substantially in the form in the schedule hereto or in such other form as the Governor may from time to time prescribe, stating that it is intended to re-enter upon or to re-sell the rent after the expiration of such period (not being less than ten days) from the service of the notice upon the renter as may be named therein, unless the renter shall before the expiration of such period have complied with the condition in respect of which default has been made.

Power to government agent to re-sell and put purchaser into possession.

4 Unless the renter shall have complied with such condition before the expiration of such period, it shall be lawful for the government agent, if he thinks fit, to re-enter upon or to re-sell the rent and to place the purchaser in possession without process of law, any rule of law to the contrary notwithstanding. Provided that the government agent shall give the renter one week's notice of the date when the purchaser will be placed in possession.

Service of notice.

5 The notice in writing required by the two last foregoing sections may be given by forwarding it by post in a registered letter addressed to the renter at the place which the renter in pursuance of the conditions of sale has signified for the service on him of notices or processes, or by serving the same on him personally, or by affixing it on his last known place of residence. Where the notice is forwarded by post as aforesaid, the period named therein shall be computed from the day next following the day on which the letter containing the notice is registered.

Saving of legal remedy of renter.

6 When a government agent has re-sold the rent or re-entered upon the same under the foregoing sections, nothing in this Ordinance shall be taken to prevent a court of competent jurisdiction from awarding damages to the renter, if it is proved that he has not made such default in observing the conditions of sale as to entitle the government agent to re-sell the rent or to re-enter upon the same.

Repeal.

7 "The Tolls, Arrack Rents, and Opium Licenses Ordinance, 1904," is hereby repealed so far as it relates to arrack rents.

#### SCHEDULE.

##### Form of Notice under Section 5.

To ———.

Whereas you have made default in observing the conditions of sale dated the ——— day of ———, 190 —, under which you were declared to be the purchaser of the Arrack Rent for ——— by [*here set out default*]:

Take notice that unless you shall have [*here set out condition with which renter should have complied*] before the expiration of ——— days from the service upon you of this notice it is my intention to re-enter upon the said rent or to re-sell the same, or so much of the term thereof as shall be unexpired, and to put the purchaser in possession thereof in accordance with the provisions of "The Arrack Rents Ordinance, 1905."

Government Agent.

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 19 of 1905.

An Ordinance to amend "The Local Boards' Ordinance, 1898."

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to amend "The Local Boards' Ordinance, 1898" (hereinafter called "the principal Ordinance"), in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Local Boards' (Amendment) Ordinance, 1905," and this Ordinance and the principal Ordinance and Ordinance No. 2 of 1901 shall be read and construed as one, and may be cited collectively as "The Local Boards' Ordinances, 1898 to 1905."

Additional section with regard to sale of immovable property for non-payment of rates.

2 After section 34 of the principal Ordinance there shall be inserted the following section, which shall be numbered 34 A, namely:

34 A. Provided, however, that the sale of land or immovable property which has been seized for the recovery of rates shall be carried out in accordance with the following provisions, namely:

(1) The land or immovable property seized shall be sold by public auction (of which at least fourteen days' notice shall be given in the *Government Gazette* and in at least one local newspaper) by the person authorized to sell the same at any time after the date of seizure, unless in the meantime the amount owing in respect of the rate, together with the lawful costs of seizure and sale, are duly paid; and the overplus, if any, accruing by such sale, after deducting the amount of such rate and costs, shall be restored to the owner of the property sold.

Certificate of sale.

(2) If land or other immovable property be sold under the warrant a certificate under the hand of the government agent or assistant government agent in the form in Schedule A hereto shall be sufficient to vest the property in the purchaser free from all encumbrances. Such certificate shall be liable to the stamp duty leviable on conveyances of immovable property and to any registration or other charges authorized by law, such duty and charges being payable by the purchaser.

Proviso.

Provided, however, that it shall be lawful for a mortgagee of such land or immovable property to pay and discharge the amount of rate or tax and costs due under and by virtue of such warrant, and upon such payment and discharge he shall be entitled to add such amount to the sum due upon his mortgage, and the amount so added shall be secured by the mortgage held by him.

Local board may purchase land sold for non-payment of rate or tax due.

(3) Whenever land or immovable property is sold under this section it shall be lawful for the government agent or the assistant government agent or any person authorized by him in that behalf to bid at the sale for such land or other immovable property, and to purchase the same for and on behalf of the local board.

Local board may take credit to extent of rate or tax and costs due.

(4) Whenever the local board purchases any such land or other immovable property the local board shall not be required to pay the whole of the purchase money, but shall be entitled to take credit for the amount due under such warrant as aforesaid, and shall only be required to



pay the balance, if any, to the owner or person entitled to the property sold after deducting such amount, and the government agent or assistant government agent or person authorized by him is hereby empowered to retain on behalf of the local board the amount due under the warrant.

Proviso.

Provided always that in the event of any land or other immovable property sold under this section realizing a less amount than that due to the local board, nothing herein contained shall preclude the said local board from recovering the balance of any amount which may be due to them after deducting the purchase money realized by the sale of the land or other immovable property.

Form of conveyance to the local board.

(5) Whenever land or other immovable property is purchased by the local board under the provisions of this section a certificate under the hand of the government agent or assistant government agent in the Form B hereto shall vest the property sold absolutely in the local board free from all encumbrances; and such certificate shall be received in the courts of justice of this colony as conclusive evidence of the title of the local board to such land or other immovable property. And such certificate shall not be liable to the stamp duty and charges payable under sub-section (2) of this section.

Local board may sell property vested in them.

(6) It shall be lawful to the local board, for valuable consideration, to sell and convey to any person or corporation any land or other immovable property vested in them under the last preceding sub-section.

#### SCHEDULE.

##### Form A.—Certificate of Sale.

WHEREAS \_\_\_\_\_ of \_\_\_\_\_ was rated under "The Local Boards' Ordinance, 1898," and became liable to the Local Board of \_\_\_\_\_ in the sum of \_\_\_\_\_ Rupees, inclusive of costs, and made default in payment thereof:

And whereas warrant of distress was issued in conformity with the said Ordinance, and the property of the said \_\_\_\_\_, to wit [*here describe the property*] was sold on the \_\_\_\_\_ day of \_\_\_\_\_, and the same was purchased by \_\_\_\_\_ for \_\_\_\_\_ Rupees, which sum has been duly paid by the said \_\_\_\_\_:

Now know Ye that I, \_\_\_\_\_, the Chairman of the said Local Board, by virtue of the powers in me vested by the said Ordinance, do hereby certify that such sale and purchase have duly taken place, and that the property above described is and shall henceforward be vested free from all encumbrances in the said \_\_\_\_\_, his heirs, executors, administrators, and assigns for ever.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1905.

A. B.,  
Chairman.

##### Form B.—Certificate of Sale to Local Board.

WHEREAS the sum of \_\_\_\_\_ Rupees was due to the Local Board of \_\_\_\_\_ by \_\_\_\_\_ of \_\_\_\_\_ for and on account of rates, and a further sum of \_\_\_\_\_ Rupees was likewise due for costs and charges, which said sums have not been paid by the said \_\_\_\_\_:

And whereas the land hereinafter described belonging to the said \_\_\_\_\_ was seized and sold in conformity with the provisions of "The Local Boards' Ordinance, 1898," and the same was purchased on the \_\_\_\_\_ day of \_\_\_\_\_ for and on behalf of the said Local Board in part satisfaction (*or full as the case may be*) of the sum of \_\_\_\_\_ Rupees so due as aforesaid and \_\_\_\_\_ Rupees for costs and charges:

Now know Ye that I, \_\_\_\_\_, the Chairman of the said Local Board, by virtue and in exercise of the powers vested in me in this behalf by "The Local Boards' Ordinance, 1898," as amended by "The Local Boards' (Amendment) Ordinance, 1905," do hereby certify that the following property [*here describe the property*] has been sold to and purchased by the said \_\_\_\_\_ for and on behalf of the said Local Board for the sum of \_\_\_\_\_ Rupees, which said sum has been duly credited to the said Local Board, and that the said premises are and shall henceforward be vested in the said Local Board free of all encumbrances.

Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_  
1905.

A. B.,  
Chairman.

Passed in Council the Sixth day of September, One  
thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor  
the Twenty-first day of September, One thousand Nine  
hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 20 of 1905.

An Ordinance to amend "The Masters Attendant's Ordinance,  
1865," in certain particulars.

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient that "The Masters Attendant's Ordinance, 1865" (hereinafter referred to as "the principal Ordinance"), should be amended in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance shall be cited as "The Masters Attendant's (Amendment) Ordinance, 1905," and shall be read and construed as one with the principal Ordinance and the Ordinances amending the same; and this Ordinance and the said Ordinances may be cited together as "The Masters Attendant's Ordinances, 1865 to 1905."

Amendment of section 2 as regards definition of "boat."

2 To the definition of the word "boat" in section 3 of the principal Ordinance there shall be added the following words: "and also launches propelled by steam, electricity, or other motive power."

Amendment of section 6.

3 (1) For sub-section 11 of section 6 of the principal Ordinance there shall be substituted the following sub-section, namely:

(1) For regulating boats plying for the conveyance of passengers or goods within such port, whether for hire or otherwise.

(2) The following sub-section shall be inserted between sub-section 11 A and sub-section 12 of section 6 of the principal Ordinance, and shall be numbered 11 B, namely:

11 B For maintaining good order on jetties and landing-places, for prohibiting the same from being frequented by loiterers or undesirable persons, and for preventing the commission of nuisances thereon.

Amendment of section 23 of principal Ordinance as regard licensing of passenger boats.

4 In place of the words "no boat of any kind shall be used for the conveyance of passengers" at the commencement of section 23 of the principal Ordinance there shall be substituted the following words, namely:

No boat of any kind shall, within any port subject to this Ordinance, ply, whether for hire or otherwise, for the conveyance of passengers or goods between vessels in port and the shore.

Passed in Council the Sixth day of September, One  
thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor  
the Twenty-first day of September, One thousand Nine  
hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

Ordinance enacted by the Lieutenant-Governor of Ceylon,  
with the advice and consent of the Legislative  
Council thereof.

No. 21 of 1905.

An Ordinance to amend "The Toll Ordinance, 1896."

A. M. ASHMORE.

Preamble.

WHEREAS it is expedient to amend "The Toll Ordinance, 1896," in certain particulars: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 (1) This Ordinance may be cited as "The Toll Amendment Ordinance, 1905." It shall be construed and read as one with "The Toll Ordinance, 1896," hereinafter referred to as "the principal Ordinance," and this Ordinance and the principal Ordinance may be cited together as "The Toll Ordinances, 1896 and 1905."

(2) This Ordinance shall come into force at such date as the Governor by Proclamation in the *Government Gazette* shall appoint.

Definition of "river."

2 To section 3 of the principal Ordinance the following definition shall be added:

"River" shall include canals, lakes, estuaries, creeks, inlets of the sea, and any expanse of water.

Amendment of section 4 of Ordinance No. 3 of 1896.

3 Section 4 of the principal Ordinance shall be amended by adding the words "and footbridges" after the word "ferries" in line 6, and substituting under the title "Tolls on Roads and at Bridges and Ferries" for the paragraph—

Every foot passenger crossing ferries, except children	Rs. c.
under twelve years of age and keepers and leaf-cutters	
attending elephants, horses, and cattle	... 0 2

the following paragraph:

Every foot passenger crossing any ferry or footbridge,	Rs. c.
except children under twelve years of age and keepers	
and leaf-cutters attending elephants, horses, and cattle	0 2

Amendment of section 13.

4 Section 13 of the principal Ordinance shall be amended by inserting the word "railway" between the words "of any road" and the words "bridge, canal, or ferry," in line 19 of the said Ordinance.

Amendment of section 14.

5 For section 14 of the principal Ordinance the following section shall be substituted:

14 No toll shall be levied upon any passenger, vehicle, animal, or boat upon his or its return by, over, or through any road, bridge, canal, or ferry at which he or it shall have paid toll on the same day (to be computed from 12 o'clock at night to 12 o'clock of the succeeding night), unless such vehicle, animal, or boat shall carry a different load: and the one-half only of the appointed toll shall be levied upon any passenger, vehicle, animal, or boat at any road, bridge, canal, or ferry, by, over, or through which he or it shall have passed in a like direction on the same day, unless such vehicle, animal, or boat shall carry a different load: Provided that it shall be incumbent upon the party claiming such total or partial exemption to produce a ticket signed by the keeper of such toll station denoting such previous payment to have been made; Provided further, that when toll has been paid at any toll station on any unloaded vehicle, elephant, or boat and a ticket taken, and such vehicle, elephant, or boat re-passes on its return journey the same toll station carrying a load on the same day (to be computed from 12 o'clock at night to 12 o'clock of the succeeding night), credit for the amount paid on such unloaded vehicle, elephant, or boat shall on production of the ticket be given in computing the amount of toll to be paid when such return journey is made.

Amendment of section 17.

6 Section 17 of the principal Ordinance shall be amended by adding the following sub-section thereto :

17 (2) Every such toll-keeper shall exhibit from 6 P.M. to 5.30 A.M. of each night in the year a red light on both sides of the road at the toll station.

Amendment of section 4.

7 Section 4 of the principal Ordinance is hereby amended—

(1) By adding to the scale of tolls on roads and at bridges and ferries therein contained the following paragraphs, namely :

	Rs.	c.
Every motor car ... ..	0	60
Every motor cycle ... ..	0	20
Every mechanical tractor with trailer :		
Loaded ... ..	1	25
Unloaded ... ..	0	25
Every lorry propelled by steam or other mechanical means :		
Loaded ... ..	1	25
Unloaded ... ..	0	25

(2) By substituting for the second paragraph in the said scale the following paragraph, namely :

	Rs.	c.
Every vehicle for passengers drawn by two horses, driver and passenger included ...	0	60

Power to enforce conditions of sale on breach thereof by the renter.

8 The following sections shall be added to the principal Ordinance, and shall be numbered 28, 29, 30, and 31 :

28 Whenever by the conditions of sale under which the exclusive right to levy and collect tolls in respect of any road, bridge, ferry, or canal is sold by the Crown it has been or shall be stipulated, whether before or after the passing of this Ordinance, that on default by the purchaser (hereinafter called the renter) in the performance of all or any of the conditions contained in the said conditions of sale—

- (a) The government agent shall be at liberty to re-sell the said exclusive right or so much of the term thereof as may be unexpired ; or
- (b) The government agent shall be at liberty to re-enter upon the said exclusive right or so much of the term thereof as may be unexpired, and the same again to have, collect, receive, retain, and enjoy on behalf of the Crown as of its former estate, and to expel the renter or his administrators or executors and all others therefrom as to the said government agent or proper authority shall seem meet ; or
- (c) The government agent may exercise both the said liberties of re-selling or re-entering upon the said exclusive right in such manner as he may think fit—

it shall be lawful for the government agent, upon default being made by the renter as aforesaid, to exercise the said liberties or any of them in manner hereinafter appearing.

29 The government agent shall give fourteen days' notice in writing to the renter in the form marked A in the schedule hereto, and upon the expiry of such notice it shall be lawful for the government agent, without process of law or decree or order of any court in that behalf authorizing him, forthwith to re-sell the said exclusive right or the unexpired term thereof in such manner as the Governor may direct, or to re-enter into possession thereof and receive, retain, and enjoy the same, or after such re-entry at such time or times as to the said government agent shall seem fit to re-sell the unexpired term of the said

exclusive right; Provided always that if in the event of the re-sale of the exclusive right or so much of the term thereof as may be unexpired under the provisions of this Ordinance no bidder shall attend at such re-sale, or the government agent shall in his discretion refuse to accept any of the bids made at such re-sale, it shall be lawful for the said government agent forthwith to re-enter into possession of the said exclusive right and collect the tolls in aumany until the expiry of the period for which the said exclusive right was purchased, or until such time as he may effect a re-sale of the unexpired period of the said exclusive right.

30 Every notice in writing issued under the provisions of this Ordinance may be given by forwarding it by post in a registered letter addressed to the renter at the place which the renter in pursuance of the conditions of sale has specified for the service on him of notices or processes, or by serving the same on him personally, or by affixing it on his last known place of residence. Where such notice is given by registered letter the period therein named shall be computed from the day next following the day on which the letter was registered.

31 There shall be repealed as and from the passing of this Ordinance so much of Ordinance No. 4 of 1904, intituled "An Ordinance for the better enforcement of certain conditions in the Sales of Tolls, Arrack Rents, and Opium Licenses," as relates to toll.

SCHEDULE.

Form A.

I, \_\_\_\_\_ (Government Agent), hereby give you \_\_\_\_\_ notice that as you are in default in the payment of your \_\_\_\_\_ instalment of the Toll Rent at \_\_\_\_\_ by the amount of Rs. \_\_\_\_\_ I have advertised the re-sale of the said rent in terms of your bond of the \_\_\_\_\_ day of \_\_\_\_\_ and the conditions of sale of the \_\_\_\_\_ day of \_\_\_\_\_ thereto annexed, and shall, unless you shall have paid on or before the \_\_\_\_\_ day of \_\_\_\_\_ the balance of the instalment of rent aforesaid, together with any other instalment which may then be due, either sell the said rent at your risk on the \_\_\_\_\_ day of \_\_\_\_\_, as advertised, or re-enter into possession of the said rent and collect the tolls in aumany until the expiry of the period for which you purchased the said exclusive privilege or for such time as I may consider necessary, and in such latter case I may at any time during the unexpired portion of the period for which you purchased the said rent in terms of your bond of the \_\_\_\_\_ day of \_\_\_\_\_ and the conditions of sale thereto annexed re-sell the unexpired residue of the said period, holding you responsible for the instalments of rent due from you in respect of the toll up to the date of such re-entry.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 190 —.

(Signed) \_\_\_\_\_

Passed in Council the Sixth day of September, One thousand Nine hundred and Five.

A. G. CLAYTON,  
Clerk to the Council.

Assented to by His Excellency the Lieutenant-Governor the Twenty-first day of September, One thousand Nine hundred and Five.

GEORGE M. FOWLER,  
Acting Colonial Secretary.

**DRAFT ORDINANCE.****MINUTE.**

The following Draft of a proposed Ordinance is published for general information :—

An Ordinance to amend "The Criminal Procedure Code, 1898."

Preamble.

**W**HEREAS it is expedient that the provisions of section 439 of "The Criminal Procedure Code, 1898," with regard to the summary trial of witnesses on indictments for intentionally giving false evidence in a stage of a judicial proceeding, should be extended so as to apply to trials in district courts: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Short title.

1 This Ordinance may be cited as "The Criminal Procedure Amendment Ordinance, 1905."

Substitution of new section for section 439 of Criminal Procedure Code.

2 For section 439 of "The Criminal Procedure Code, 1898," the following section is hereby substituted, namely:

(1) If in the course of a trial in any district court or of a trial by jury before the Supreme Court any witness shall on any material point contradict either expressly or by necessary implication the evidence previously given by him at the inquiry before the police magistrate, it shall be lawful for the presiding judge, upon the conclusion of such trial, to have such witness arraigned and tried on an indictment for intentionally giving false evidence in a stage of a judicial proceeding. In a trial before the Supreme Court the indictment shall be prepared and signed by the registrar, and the accused may be tried by the same jury. In a trial in a district court the indictment shall be prepared and signed by the secretary of such court.

(2) At such trial it shall be sufficient to prove that the accused made the contradictory statements alleged in the indictment, and it shall not be necessary to prove which of such statements is false.

(3) The presiding judge may, if he considers expedient, adjourn the trial of such witness for such period as he may think fit, and may commit such witness to custody or take bail in his own recognizance or with sureties for his appearance. In the Supreme Court such adjourned trial shall be before the same or any other jury as the judge shall direct.

By His Excellency's command,

**G. M. FOWLER,**  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Colombo, September 21, 1905.

*Statement of Objects and Reasons.*

SECTION 439 of the Criminal Procedure Code provides for the summary trial of witnesses who, in trials before the Supreme Court, contradict on material points the evidence previously given by them at the inquiry before the Police Magistrate.

The purpose of the present Ordinance is to extend the application of this section to trials in District Courts.

2. The Draft Ordinance substitutes for section 439 a new section, which provides for the summary trial of witnesses who have given such contradictory evidence either before the Supreme Court or in a District Court.

Colombo, September 19, 1905.

**ALFRED G. LASCELLES,**  
Attorney-General.

## NOTICES IN TESTAMENTARY ACTIONS.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Balapuwadugey Pelis Mendis,  
No. 2,423 C. deceased, of Dehiwala in the Palle  
pattu of Salpiti korale.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 24th day of August, 1905, in the presence of Mr. E. R. F. de S. Wijeyeratne on the part of the petitioner Kodimarakkalagey Veronica Rodrigo of Dehiwala ; and the affidavit of the said petitioner, dated the 17th day of August, 1905, having been read : It is ordered that the said Kodimarakkalagey Veronica Rodrigo be declared entitled to have letters of administration to the estate of the said deceased issued to her, unless (1) Balapuwadugey Teadora Mendis, (2) Balapuwadugey Kaithan Mendis, and (3) Balapuwadugey Emalia Mendis, all of Dehiwala in the Palle pattu of Salpiti korale, shall, on or before the 14th day of September, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 24th day of August, 1905.

The date for showing cause against this *Order Nisi* is extended for the 26th day of October, 1905.

J. R. WEINMAN,  
District Judge.

Colombo, 14th September, 1905.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Henadira Aratchige Don Sa-  
No. 2,435. dilis Amarasekere Appuhamy, de-  
ceased, of Dompe.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 5th day of September, 1905, in the presence of Mr. T. F. Bandaranaike on the part of the petitioner Adikari Appuhamillage Dona Agida of Dompe ; and the affidavit of the said petitioner, dated the 6th day of December, 1904, having been read : It is ordered that Adikari Appuhamillage Dona Agida of Dompe be declared entitled to have letters of administration to the estate of the said deceased issued to her, unless (1) Henadira Aratchige Dona Sarah Amarasekere, (2) Dona Esibal Amarasekere, (3) Dona Rosaline Amarasekere, (4) Don Surabial Amarasekere, (5) Don Salphina Amarasekere, (6) Don Theodore Amarasekere, all of Dompe in the Gangaboda pattu of Siyane korale, shall, on or before the 12th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 5th day of September, 1905.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Frederick Edward Dias Ban-  
No. 2,436. daranaikē, deceased, of No. 29,  
Green street, Colombo

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 5th day of September, 1905, in the

presence of Messrs. F. J. & G. de Saram on the part of the petitioner Charles Lorensz Henry Dias Bandaranaike of Veyangoda ; and the affidavit of the said petitioner, dated 1st day of September, 1905, having been read : It is ordered that the said petitioner Charles Lorensz Henry Dias Bandaranaike be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless (1) Walter Dias Bandaranaike, Mudaliyar, of Minuwangoda, (2) Louisa Perera of Kuruwe street, Colombo, (3) Matilda Dias Bandaranaike, (4) Maria Catherine Dias Bandaranaike, (5) Florence Cornelia Dias Bandaranaike, (6) Nancy Dagman Dias Bandaranaike, all of Cambridge House, Darley road, (7) Charles Edward Dunstan Dias Bandaranaike of Kadamawata, (8) Reginald Felton Dias Bandaranaike, (9) Roland Leopold D.as Bandaranaike, (10) Edward Osmund Dias Bandaranaike, and (11) Violet Dias Bandaranaike, all of Riverside, Mutwal, shall, on or before the 12th day of October, 1905, show sufficient cause to the satisfaction of this court.

J. R. WEINMAN,  
District Judge.

The 5th day of September, 1905.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Senayeke Alagiawanna Mohot-  
No. 2,439 C. tiappuhamillage Don Sinnochchi  
Appuhamy, deceased, of Meewiti-  
gammana in the Udugaha pattu  
of Siyane korale.

THIS matter coming on for disposal before James Richard Weinman, Esq., District Judge of Colombo, on the 16th day of September, 1905, in the presence of Mr. D. E. Wanigesooria, on the part of the petitioner Senayeke Alagiawanna Mohottiappuhamillage Don Abraham, Police Vidane ; and the affidavit of the petitioner, dated 8th day of September, 1905, having been read : It is ordered that the said petitioner be declared entitled to have letters of administration to the estate of the said deceased issued to him, unless (1) Patirajawasan Kudahitige Dona Palia Hamine of Meewitigammana, (2) Senayeke Alagiawanna Mohotti Appuhamillage Dona Porlentina Hamine of Botele, (3) Edirisinghe Mudiānselage Harmanis Appuhamy of Ampitigala, (4) Senayeke Alagiawanna Mohottiappuhamillage Susanchi Nona, (5) Salpitikorallalage Jacolis Appuhamy of Palupel-pitta, (6) Senayeke Alagiawanna Mohottiappuhamillage Don Carolis Appuhamy of Meewitigammana, (7) Senayeke Alagiawanna Mohottiappuhamillage Don Pieris Appuhamy of Meewitigammana, (8) Senayeke Alagiawanna Mohottiappuhamillage Don Louis Appuhamy of Meewitigammana, (9) Pandita Appuhamillage John Singho, (10) Pandita Appuhamillage Arnolis, (11) Pandita Appuhamillage Sarnelis, (12) Edirisinghe Mudiānselage Appuhamy, (13) Senayeke Alagiawanna Mohottiappuhamillage Siman Appuhamy, and (14) Senayeke Alagiawanna Mohottiappuhamillage Abilin Nona, minors, by their guardian Senayeke Alagiawanna Mohottiappuhamillage Don Carolis Appuhamy of Meewitigammana, shall, on or before the 12th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 16th day of September, 1905.

In the District Court of Colombo.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Halahapperumage Christina  
No. C 2,446 Fonseka Hamine, deceased, of  
Hendala Palliawatta in the Ra-  
gam pattu of the Alutkuru korale,  
deceased.

THIS matter coming on for disposal before James  
Richard Weinman, Esq., District Judge of  
Colombo, on the 21st day of September, 1905, in the  
presence of Mr. E. W. Perera on the part of the peti-  
tioner Kiriwellagurunanselage Hendrick Silva Appu-  
hamy of Hendala Palliawatta; and the affidavit of  
the said petitioner dated the 28th day of August,  
1905, having been read: It is ordered that the will  
of Halahapperumage Christina Fonseka Hamine,  
deceased, dated 9th day of June, 1902, be and the  
same is hereby declared proved, unless any one  
interested shall, on or before the 19th day of October,  
1905, show sufficient cause to the satisfaction of this  
court to the contrary.

It is further declared that the said Kiriwellagurun-  
anselage Hendrick Silva Appuhamy is the executor  
named in the said will, and that he is entitled to have  
probate of the same issued to him accordingly, unless  
any one interested shall, on or before the 19th day of  
October, 1905, show sufficient cause to the satisfaction  
of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 21st day of September, 1905.

In the District Court of Colombo.

*Order Nisi declaring Will proved.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Suraweera Don Baron, Notary,  
No. 2,449. deceased, of Petiagoda in the  
Adikari pattu of Siyane korale.

THIS matter coming on for disposal before James  
Richard Weinman, Esq., District Judge of  
Colombo, on the 21st day of September, 1905, in the  
presence of Mr. J. E. Richard Perera on the part of  
the petitioner Wanasinghe Aratchchigey Chalow  
Perera of Petiagoda in the Adikari pattu of Siyane  
korale; and the affidavit of the said petitioner, dated  
8th day of September, 1905, having been read:

It is ordered that the will of the said Suraweera  
Don Baron, deceased, dated 5th day of November,  
1900, be and the same is hereby declared proved,  
unless any one interested shall, on or before the 19th  
day of October, 1905, show sufficient cause to the  
satisfaction of this court to the contrary.

It is further declared that the said Wanasingha  
Aratchchigey Chalow Perera is the executrix named  
in the said will, and that she is entitled to have pro-  
bate of the same issued to her accordingly, unless any  
one interested shall, on or before the 19th day of  
October, 1905, show sufficient cause to the satis-  
faction of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 21st day of September, 1905.

In the District Court of Colombo.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Kirindagey Bartholomew  
No. 2,451. Dias, deceased, of Totewatta in  
Mattakkuliya in Colombo.

THIS matter coming on for disposal before James  
Richard Weinman, Esq., District Judge of  
Colombo, on the 26th day of September, 1905, in the  
presence of Mr. D. J. E. Ferdinando on the part of

the petitioner Gorakanagey Romanis Silva of Bam-  
balapitiya in Colombo; and the affidavit of the said  
petitioner, dated the 13th day of September, 1905,  
having been read:

It is ordered that the said petitioner be declared  
entitled to have letters of administration to the estate  
of the said deceased issued to him, unless (1) Rana-  
weera Ratuvaratchigey Angelina Peiris of Totewatta  
in Mattakkuliya, (2) Kirindagey Christina Dias and  
(3) Kirindagey Emilia Dias, both of Bambalapitiya  
in Colombo, shall, on or before the 12th day of Octo-  
ber, 1905, show sufficient cause to the satisfaction  
of this court to the contrary.

J. R. WEINMAN,  
District Judge.

The 26th day of September, 1905.

In the District Court of Colombo.

*Order Nisi declaring Will proved, &c.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Osmund Hollowell Austin,  
No. 2,453. deceased, of No. 129, Kollupitiya  
in Colombo.

THIS matter coming on for disposal before James  
Richard Weinman, Esq., District Judge of  
Colombo, on the 27th day of September, 1905, in  
the presence of Messrs. R. F. de Saram and Alvis on  
the part of the petitioner Peter Daniel Vanderstraaten  
of Bambalapitiya, Colombo; and the affidavit of the  
said petitioner, dated 25th day of September, 1905,  
having been read: It is ordered that the will of  
Osmund Hollowell Austin, deceased, dated the 7th  
day of September, 1903, be and the same is hereby  
declared proved, unless any one interested shall, on  
or before the 19th day of October, 1905, show suffi-  
cient cause to the satisfaction of this court to the  
contrary.

It is further declared that the said Peter Daniel  
Vanderstraaten is the executor named in the said  
will, and that he is entitled to have probate of the  
same issued to him accordingly, unless any one  
interested shall, on or before the 19th day of October,  
1905, show sufficient cause to the satisfaction of this  
court to the contrary.

J. R. WEINMAN,  
District Judge.

The 27th day of September, 1905.

In the District Court of Negombo.

*Order Nisi.*

Testamentary In the Matter of the Estate and  
Jurisdiction. Effects of Sena Noowanna Noor  
No. 885. Kanni Marikkar, otherwise known  
as Ana Vena Noowanna Nooru-  
kanni Marikkar of Katana in  
Dunagaha pattu of Alutkuru  
korale, in the District of Negombo,  
and of Thopputhora, Southern  
India, deceased.

Rawanna Mana Muna Runa Ramanaden  
Chetty, by his attorney Muna Runa  
Rawanna Mana Muna Runa Muru-  
gappa Chetty of Negombo.....Petitioner.

THIS matter coming on for disposal before G. W.  
Woodhouse, Esq., District Judge of Negombo,  
on the 1st day of September, 1905, in the presence of  
Mr. W. M. Rajepakse, Proctor, on the part of the  
petitioner Rawanna Mana Muna Runa Ramanaden  
Chetty, by his attorney Muna Runa Rawanna Mana  
Muna Runa Murugappa Chetty of Negombo; and  
the affidavit of the petitioner, dated 3rd August, 1905,  
having been read:

It is ordered that, in terms of sections 521 and 539  
(g) of the Civil Procedure Code, Mr. Nathaniel  
Paranavitana, the Secretary of the District Court  
of Negombo, be appointed as administrator of the



estate of the deceased Sena Noowanna Noorkanni Marikkar, otherwise known as Ana Vena Noowanna Noorukanni Marikkar, for the purpose of representing the said estate in an action about to be instituted to recover the principal and interest due upon mortgage bond No. 1,305, dated 13th December, 1898, unless any person interested shall, on or before the 12th October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

G. W. WOODHOUSE,  
District Judge.

September 1, 1905.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Malalagama Gamage Don  
No. 2,053. Bastian de Silva, deceased, of  
Hedeniya..

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 18th day of September, 1905, in the presence of Mr. Jayetileke, Proctor, on the part of the petitioner William Marcellus de Silva, Secretary of the District Court of Kandy; and the affidavit of the said petitioner, dated 18th September, 1905, having been read:

It is ordered that the petitioner William Marcellus de Silva, Secretary of the District Court of Kandy, be and he is hereby declared entitled to letters of administration *de bonis non* to the estate of Malalagama Gamage Don Bastian de Silva, deceased, of Hedeniya, as the Secretary of the District Court of Kandy, unless (1) William Silva, (2) Siman Silva, (3) Isabella de Silva, (4) Kirigoris de Silva, (5) Peeris de Silva, by their guardian *ad litem* Gardiye Lokugan Hewage Don Dias Appoo, all of Hedeniya, shall, on or before the 20th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

The 18th day of September, 1905.

In the District Court of Kandy.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Rambukwelle Kumarihamy,  
No. 2,452. deceased, of Udispattu.

THIS matter coming on for disposal before John Henricus de Saram, Companion of the Most Distinguished Order of Saint Michael and Saint George, District Judge of Kandy, on the 15th day of September, 1905, in the presence of Messrs. Beven and Beven, Proctors, on the part of the petitioner T. B. Rambukwelle; and the affidavit of the said petitioner, dated 11th September, 1905, having been read:

It is ordered that T. B. Rambukwelle, R.M., Uda Dumbara, be and the same is hereby declared entitled to letters of administration to the estate of Rambukwelle Kumarihamy of Udispattu, deceased, as the husband of the said deceased, unless (1) Herat Banda Rambukwelle, (2) Nandawati Rambukwelle, (3) Seelawati Rambukwelle, (4) Seedavi Rambukwelle, the 1st of Udispattu, the 2nd, 3rd, and 4th of Hillwood, Kandy, by their guardian *ad litem* L. B. Nugawela, R.M., of Puliypitiya in Katugampola, shall, on or before the 16th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

J. H. DE SARAM,  
District Judge.

The 15th day of September, 1905.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Sinnappillai, wife of Valup-  
No. 1,660. pillai of Navaly, deceased.

Kathiravelu Veluppillai of Navaly . . . . .Petitioner.  
Vs.

(1) Sivakkolunthu, widow of Ariakuddy,  
and (2) Visayaladchumy, wife of Sinna-  
tamby, both of Araly South. . . . .Respondents.

THIS matter of the petition of Kathiravelu Veluppillai of Navaly praying for letters of administration to the estate of the above-named deceased Sinnappillai, wife of the above-named petitioner, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 21st day of September, 1905, in the presence of Mr. S. T. Arnold, Proctor, on the part of the petitioner; and affidavit of the petitioner, dated the 21st day of September, 1905, having been read: It is ordered that the petitioner be and he is hereby declared, as widower of the said intestate, to be entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 13th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,  
District Judge.

This 21st day of September, 1905.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Chellamuttu, wife of Rasa-  
No. 1,661. kulasooriar of Navaly, deceased.  
Class II.

Mailvaganam Thamothersampillai of  
Thunnalai . . . . .Petitioner.

Vs.

(1) Chummattankachchippillai, widow of  
Visuvanatar Ramalingam of Kaithadi,  
(2) Vallippillai, widow of Kasinatar of  
Kaithadi, and (3) Kanapatippillai  
Rasakulasooriar of Navaly. . . . .Respondents.

THIS matter of the petition of Mailvaganam Thamothersampillai of Thunnalai praying for letters of administration to the estate of the above-named deceased Chellamuttu, wife of Rasakulasooriar, coming on for disposal before C. Eardley-Wilmot, Esq., District Judge, on the 22nd day of September, 1905, in the presence of Messrs. Casippillai & Cathiravelu, Proctors, on the part of the petitioner; and affidavit of the petitioner, dated the 21st day of September, 1905, having been read: It is declared that the petitioner is the guardian of one of the heirs of the said intestate, and is entitled to have letters of administration to the estate of the said intestate issued to him, unless the respondents or any other person shall, on or before the 20th day of October, 1905, show sufficient cause to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,  
District Judge.

This 22nd day of September, 1905.

In the District Court of Jaffna.

*Order Nisi.*

Testamentary In the Matter of the Estate of the  
Jurisdiction. late Thambyah Kanapatippillai  
No. 1,662. of Madduvil North, deceased.  
Class I.

Saddanatar Sinnattampi of Madduvil  
North .....Petitioner.  
Vs.

(1) Sinnattampi Thambayah and wife  
(2) Sellam of Madduvil North, and (3)  
Paramanatar Kanagasabai of Maddu-  
vil North ..... Respondents.

**T**HIS matter of the petition of Saddanatar Sinnat-  
tampi of Madduvil North praying for letters  
of administration to the estate of the above-named  
deceased Thambyah Kanapatippillai coming on for  
disposal before C. Eardley-Wilmot, Esq., District  
Judge, on the 22nd day of September, 1905, in the  
presence of Messrs. Casippillai & Cathiravelu,  
Proctors, on the part of the petitioner; and affidavit  
of the petitioner, dated the 21st day of September,  
1905, having been read: It is declared that the peti-  
tioner is one of the heirs of the said intestate, and  
is entitled to have letters of administration to the  
estate of the said intestate issued to him, unless the  
respondents or any other person shall, on or before  
the 20th day of October, 1905, show sufficient cause  
to the satisfaction of this court to the contrary.

C. EARDLEY-WILMOT,  
District Judge.

This 22nd day of September, 1905.

In the District Court of Galle.

*Order Nisi.*

Testamentary In the Matter of the Estate of Alia  
Jurisdiction. Marikkar Asa Umma, deceased, of  
No. 3,601. Gintota.

**T**HIS matter coming on for disposal before G. A.  
Baumgartner, Esq., District Judge, Galle, on  
the 12th day of September, 1905, in the presence of

Mr. T. Weerasooriya, Proctor, on the part of the  
petitioner Mahammadu Marikkar Ahamadu Neina;  
and the affidavit of the petitioner, dated 12th Sep-  
tember, 1905, having been read:

It is declared that the said Mohamadu Marikkar  
Ahamadu Neina is the son of the deceased, and that  
he is as such entitled to have letters of administration  
issued to him accordingly, unless the respondent  
Idroos Lebba Marikkar Mohamadu Lebba Marikkar  
shall, on or before the 24th day of October, 1905,  
show sufficient cause to the satisfaction of this court  
to the contrary.

G. A. BAUMGARTNER,  
District Judge.

The 12th day of September, 1905.

In the District Court of Chilaw.

*Order Nisi.*

Testamentary In the Matter of the Estate and  
Jurisdiction. Effects of Edward McCarthy, late  
No. 698. of Rajakadaluwa in the District  
of Chilaw, deceased.

**T**HIS matter coming on for disposal before J. O'K.  
Murty, Esq., District Judge of Chilaw, on the  
11th day of September, 1905, in the presence of Mr. N.  
J. Martin on the part of the petitioner, the Hon.  
Mr. Walter Pereira of "Leaffields," Barnes Place, in  
Colombo; and the affidavit of the said petitioner,  
dated the 6th day of September, 1905, having been  
read:

It is ordered that the Hon. Mr. Walter Pereira of  
"Leaffields," Barnes Place, in Colombo, be declared  
entitled to have letters of administration to the  
estate of the said deceased be issued to him, unless  
sufficient cause be shown to the satisfaction of this  
court to the contrary on or before the 11th day of  
October, 1905.

J. O'K. MURTY,  
District Judge.

The 11th day of September, 1905.

## NOTICES OF INSOLVENCY.

In the District Court of Colombo.

No. 2,190 In the matter of the insolvency of Kalu-  
wadewage Charles of Peliyagoda in  
the Ragam pattu of Alutkuru Korale  
South.

**N**OTICE is hereby given that a meeting of the  
creditors of the above-named insolvent will  
take place at the sitting of this court on October 19,  
1905, for the appointment of an assignee.

By order of court,

P. DE KRETZER,  
Acting Secretary.

Colombo, October 3, 1905.

In the District Court of Colombo.

No. 2,190. In the matter of the insolvency of  
Kaluwadewage Charles of Peliyagoda  
in the Ragam pattu of Alutkuru  
Korale South.

**N**OTICE is hereby given that a meeting of the  
creditors of the above-named insolvent will  
take place at the sitting of this court on October 19,

1905, for the grant of a certificate of conformity to  
the above-named insolvent.

By order of court,

P. DE KRETZER,  
Colombo, September 28, 1905. Acting Secretary.

In the District Court of Colombo.

No. 2,208. In the matter of the insolvency of  
Veena Ana Cunjadu of Colombo.

**W**HEREAS the above-named Veena Ana Cunjadu  
has filed a declaration of insolvency, and a  
petition for the sequestration as insolvent of his own  
estate, under the Ordinance No. 7 of 1853, and it  
appears that he has been in actual custody within  
the walls of a prison for debt for more than 21 days:

Notice is hereby given that the said court has  
adjudged him an insolvent accordingly, and that two  
public sittings of the court, to wit, on October 19 and  
November 16, 1905, will take place for the insolvent to  
surrender and conform to, agreeably to the provisions  
of the said Ordinance, and for the taking of the other  
steps set forth in the said Ordinance, of which cre-  
ditors are hereby required to take notice.

By order of court,

P. DE KRETZER,  
Colombo, September 27, 1905. Acting Secretary.

In the District Court of Colombo.

No. 2,209. In the matter of the insolvency of Santhanam Pulle Muttusamy Pulle of No. 23, Gintupity street, Colombo.

WHEREAS Santhanam Pulle Muttusamy Pulle has filed a declaration of insolvency, and a petition for the sequestration of the estate of the said Santhanam Pulle Muttusamy Pulle has also been filed by S. M. Supparaya, Mudaliyar, under the Ordinance No. 7 of 1853: Notice is hereby given that the said court has adjudged the said Santhanam Pulle Muttusamy Pulle insolvent accordingly, and that two public sittings of the court, to wit, on October 26, 1905, and on November 16, 1905, will take place for the said insolvent to surrender and conform to, agreeably to the provisions of the said Ordinance, and for the taking of the other steps set forth in the said Ordinance, of which creditors are hereby required to take notice.

By order of court,  
P. DE KRETZER,  
Colombo, October 3, 1905. Acting Secretary.

In the District Court of Kalutara.

No. 116. In the matter of the insolvency of Gamaetige Don Erolis Appuhamy of Horawala in Pasdun korale,

NOTICE is hereby given that the second sitting of this court in the above matter has been adjourned for October 19, 1905.

By order of court,  
WM. DE SILVA,  
Kalutara, September 29, 1905. Secretary.

In the District Court of Kandy.

No. 1,487. In the matter of the insolvency of K. N. Muttiah of Kandy.

NOTICE is hereby given that the above-named insolvent has been granted a certificate as of the third class.

By order of court,  
W. M. DE SILVA,  
Kandy, October 3, 1905. Secretary.

In the District Court of Kandy.

No. 1,498. In the matter of the insolvency of Sinna Thamby Muhandiram Abdul Rahiman of Kandy.

NOTICE is hereby given that the adjudication of insolvency has been annulled in the above matter.

By order of court,  
W. M. DE SILVA,  
Kandy, October 2, 1905. Secretary.

In the District Court of Kandy.

No. 1,508. In the matter of the insolvency of W. R. Waller of Dikoya.

NOTICE is hereby given that the above-named insolvent has been awarded a certificate as of the third class.

By order of court,  
W. M. DE SILVA,  
Kandy, October 2, 1905. Secretary.

In the District Court of Kandy.

No. 1,513. In the matter of the insolvency of Punchi Banda Ratnayaka of Kahalla in Lower Dumbara.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on October 19, 1905, for the annulment of the adjudication of insolvency.

By order of court,  
W. M. DE SILVA,  
Kandy, September 26, 1905. Secretary.

## NOTICES OF FISCALS' SALES.

### Western Province.

In the District Court of Colombo.

Helena Wijewardana of Sedawatta, executrix of the last will and testament of Don Philip Wijewardana, Muhandiram, deceased .....Plaintiff.

No. 20,475 C. Vs.

(1) Cecilia Schubert (nee Nugara), and her husband (2). Henry Stephen Schubert, both of Vauxhall street, Slave Island, (3) Alfred Mathews Chittambalan of Pettah in Colombo....Defendants.

NOTICE is hereby given that on Wednesday, November 1, 1905, commencing at 4 o'clock in the afternoon, will be sold by public auction at the premises the following property, decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 5,561, with interest on Rs. 4,000 at 15 per cent. per annum from August 1, 1904, to November 2, 1904, and thereafter at 9 per

cent. per annum till payment in full, and costs of suit and poundage, viz. :—

1. All that undivided 132/360 parts or shares or other the parts or shares whatsoever of the 1st defendant in all that house and premises bearing assessment No. 27, situated at Prince street, Colombo; and bounded on the north by the property of Mr. Rodrigo, on the east by the church premises bearing assessment No. 28, on the south by the Prince street, and on the west by premises bearing assessment No. 26; containing in extent 18½ square perches, with the easements, rights, and appurtenances thereto belonging or otherwise used or enjoyed or known as part and parcel thereof; and all the estate, right, title, interest, claim, and demand whatsoever of the 1st defendant in, to, upon, or out of the said house and premises.

2. All that life interest of Sophia Nugara of Colombo in the above described premises, subject to the lease of eight years ending March 31, 1906, created by the said Sophia Nugara by deed No. 1,318, dated November 26, 1897, attested by J. J. de Fry, Notary Public.

Fiscal's Office,  
Colombo, October 4, 1905.

E. ONDATJE,  
Deputy Fiscal.

## In the District Court of Colombo.

Frederick Charles Loos of Colombo .....Plaintiff.  
No. 20,720. Vs.

Eliyadurage Leonis Andris Fernando of Wellawatta .....Defendant.

NOTICE is hereby given that on Friday, November 3, 1905, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property, mortgaged and decreed to be sold by the decree entered in the above action, for the recovery of the sum of Rs. 9,000, with interest thereon at 9 per cent. per annum from July 13, 1903, till payment, and costs of suit, viz. :—

All that allotment or portion of the garden called Kongahawatta, marked A in the figure of survey dated March 15, 1890, made by J. H. Krikenbeek, Surveyor, being a portion from and out of all that allotment of land bearing registration No. 211a in the registration plan No. 2, Wellawatta, situated in the village Wellawatta in the District of Colombo, which said portion marked A is bounded on the north by the high road, on the east by Mission premises and lot B, on the south by the gardens of Magage Siman Fernando and Serange Baba Nona, and on the west by the garden of Eliyadurage Bastian Fernando; containing in extent 3 roods and 36 perches, together with all the buildings and plantations thereon; and all rights, ways, privileges, easements, servitudes, and appurtenances whatsoever to the said premises, and all the estate, right, title, interest, property, claim, and demand whatsoever on May, 12, 1903, of the said defendant into, out of, or upon the same.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, October 4, 1905.

## In the District Court of Colombo.

S. S. N. Sinnan Chetty of Sea street, Colombo .....Plaintiff.

No. 21,977 C. Vs.

S. L. M. A. Raheem of Main street, Pettah, Colombo .....Defendant.

NOTICE is hereby given that on Tuesday, October 31, 1905, at 1 o'clock in the afternoon, will be sold by public auction at the defendant's residence adjoining to No. 39, Bambalapitiya, Colombo, the following property, for the recovery of the sum of Rs. 6,657.50, with interest at 9 per cent. per annum on Rs. 950 from May 9, 1905, on Rs. 950 from May 16, 1905, on Rs. 950 from May 23, 1905, on Rs. 950 from June 4, 1905, on Rs. 950 from June 4, 1905, and on Rs. 1,900 from June 23, 1905, till payment in full, viz. :—

All the household furniture and effects of the above-named defendant lying at his residence adjoining to premises No. 39, Bambalapitiya, Colombo, consisting chiefly of bentwood and rattan chairs and settees, jakwood, teakwood, and satinwood chairs, tables, almirahs, wardrobes, cheffoniers, sideboards, a Bombay wood carved stand with a flower vase, a piano, table, and hanging lamps, pictures, China mattings, a clock, and an iron safe.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, October 4, 1905.

## In the Court of Requests of Colombo.

(1) M. L. Abubakker, (2) Hannisa Umma, by her next friend M. L. Abubakker  
Lebbe of Panchikawatta .....Plaintiffs.  
No. 32,186. Vs.

(1) Pitche Lebbe Samsi Lebbe Marikkar,  
(2) Samsi Lebbe Marikkar Junus Lebbe Marikkar, both of Piachaud's lane. ....Defendants.

NOTICE is hereby given that on Thursday, November 2, 1905, at 3.30 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said plaintiffs in the following property, for the recovery of the sum of Rs. 53.25, viz. :—

All that part of the garden called Tappawatta, with the buildings thereon bearing assessment No. 23A, situated at Panchikawatta within the Municipality of Colombo; and bounded on the north by the property of Jamet Mohamado, on the east by the other part of the same land of Omar Lebbe Meonatchie Umma and Omer Lebbe Jayanambu bearing assessment No. 23 and a passage five feet wide, on the south by the property of Francis Livera, Mudaliyar, and on the west by the remaining portion of the same land belonging to Meera Lebbe Naina Marikkar; containing in extent 20 perches more or less.

E. ONDATJE,  
Deputy Fiscal.

Fiscal's Office,  
Colombo, October 4, 1905.

## In the District Court of Negombo.

Suna Pana Lana Thennappa Chetty, by his attorney Suna Pana Palaniappa Chetty of Negombo .....Plaintiff.  
No. 5,291. Vs.

Edirimuni Malina Latteru, administratrix of the estate of Hamuddara Abraham de Silva Gunasekera of Mukulangomuwa, deceased. Substituted Defendant.

NOTICE is hereby given that on November 29, 1905, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz. :—

1. The western portion of the owita land called Bopitiyakumbura, situate at Mukulangomuwa in Dasiya pattu of Alutkuru korale; bounded on the north by the owita belonging to Mellewetantirige Siman Perera Appuhamy, on the east by a portion of this land belonging to Don Abraham Perera Appuhamy and by the field, on the south by the owita belonging to Pelis Appu and others, and on the west by the land belonging to Christian de Silva Guna Pala Arachchi; containing in extent 2 roods more or less.

2. Three acres extent out of an allotment of land called Kuruwe Mudiyansele Kurunduwatta, situate at ditto; bounded on the north by the land belonging to Pehandi Migel Silva and others, on the east and south by the lands formerly of Edirimuni Simanis de Silva Samarasekera Appuhamy and now of Edirimuni Marthinu Latheru Appuhamy, and on the west by the land formerly of Arumadura Savial Silva and others and now of Kalumit Suravial Silva and others; containing in extent 4 acres more or less.

3. Three contiguous lots called Madangahawatta alias Munamalgahawatta, situate at Leyanagemulla in ditto; bounded on the north by the land belonging to Mr. J. M. S. W. S. Salgado, on the east by the road, on the south by the land belonging to S. J. Perera, and on the west by ditch which separates the land

called Kadolkela belonging to Pehandi Elaris Silva Gunasekera ; containing in extent 4 acres and 2 roods more or less.

4. Half of the three contiguous lots Nos. 11, 12, and 13 called Dawatagahakurunduwatta *alias* Bowila Muhandirangewatta, situate at ditto ; bounded on the north by the portion of this land lots Nos. 14 and 15 belonging to Christian de Silva, Arachchi, and others, on the east by the field called Dikwela, on the south by the lands of Christian Fernando and others, and on the west by the portion of this land lots 9 and 10 belonging to Siman Silva and others ; containing in extent 39 acres 1 rood and 23 perches more or less.

5. One-fourteenth of the land called Dawatagahakurunduwatta, situate at ditto ; bounded on the north by the sandy road, on the east by the land of Girigoris Silva, on the south by the land of Hendrick de Silva Gunasekara, Arachchi, and on the west by the land belonging to Hamuddara Sineris Silva *alias* Salman Silva ; containing in extent 1 acre and 3 roods more or less.

Amount to be levied Rs. 8,119.25, and interest on Rs. 7,000 at 15 per cent. per annum from November 2, 1903, to April 27, 1904, and thereafter at 9 per cent. per annum till payment in full.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, October 4, 1905.

In the District Court of Negombo.

Muna Ana Lana Mena Kana Nana  
Kannappa Chetty of Negombo .....Plaintiff.

No. 5,355. Vs.

(1) Idirimuni Cornelis Soysa of Udammitta and (2) Ranamukage Alisandiri Peries of Alawatupitiya.....Defendants.

NOTICE is hereby given that on November 25, 1905, commencing at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property, viz. :—

1. An undivided  $\frac{1}{2}$  share of a portion of Ekela cinnamon estate, situate at Ekela in Ragam pattu of Alutkuru korale, which portion being bounded on the north by the land belonging to Niletta Adirias Silva and others, on the east by Etmala-agara, on the south by the land belonging to Mr. Piachaud, and on the west by 60 feet footpath belonging to the Crown ; containing in extent 1 acre more or less.

2. An undivided  $\frac{1}{2}$  share of the land called Dawatagahawatta, situate at ditto ; bounded on the north by the land belonging to Ranamukage Alisandiri Peries and others, on the east by land belonging to Veda Sardiell Silva and others, on the south by the land belonging to Veda Gabriel Silva, and on the west by the land belonging to Ranamukage Alisandiri Peries ; containing in extent 2 acres more or less.

3. The land called Dawatagaha *alias* Gorakagahawita, situate at ditto ; bounded on the north by the land belonging to Yakupiti Harmanis Silva, on the east by the road leading to Mutuwadiya, on the south by the land belonging to Ranamukage Charlis Peries Vedarala, and on the west by the land belonging to Wettige Christogu Fernando ; containing in extent 2 roods more or less.

4. The land called Maragahawatta *alias* Delgahawatta and the tiled house standing thereon, situate at ditto ; bounded on the north by the land belonging to Wettige Christogu Fernando, on the east by the land belonging to Ranamukage Charlis Peries Vedarala, on the south by the land belonging to Joseph

de Abrew Appuhamy, and on the west by the land belonging to Heralis Silva and others ; containing in extent 2 acres more or less.

Amount to be levied Rs. 243.50, with interest on Rs. 220 at 30 per cent. per annum from January 11 to March 24, 1904, and thereafter at 9 per cent. per annum till payment, less Rs. 244.90.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, October 4, 1905.

In the District Court of Negombo.

Seena Nana Seena Suppramanian Chetty  
of Negombo .....Plaintiff.

No. 5,526. Vs.

(1) Mihidukulasuria John Tissera, (2) Mihidukulasuria Ana Maria Pinto, (3) Mihidukulasuria Patabendige Domingo Fernando, (4) Mihidukulasuria Patabendige Maria Tissera, all of Negombo, (5) Mihidukulasuria Patabendige Mary Elizabeth Fernando of Chilaw.....Defendants.

NOTICE is hereby given that on November 21, 1905, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property specially hypothecated by bond No. 8,899, dated July 17, 1903, viz. :—

1. The undivided  $\frac{2}{3}$  shares of the portion of Delgahawatta and of the buildings standing thereon, situate at 1st Division, Hunupitiya, within the gravets of Negombo, the said portion being bounded on the north and east by the garden which belonged to Santiago Fernando, deceased, and now belonging to Ana Mathes, on the south by the Main street, and on the west by the portion of this land which belonged to Don Philippu Appu and now belonging to Ana Mathes aforesaid, the present boundaries ascertained by the Fiscal's officer ; being bounded on the north and east by the garden which belonged to Santiago Fernando, deceased, and now belonging to Ana Mathes and by the garden belonging to the church, on the south by the main street, and on the west by the land belonging to John Croos, deceased, and by the dewata road ; containing in extent 17.2 perches more or less, and declared liable to be sold in satisfaction of the decree entered in the above case.

Property not mortgaged.

2. An undivided  $\frac{1}{2}$  share of the land called Mandagahawatta *alias* Lunukumbura and of the buildings standing thereon, situate at Tillanduwa *alias* St. Joseph's street, within the gravets of Negombo ; the entire land being bounded on the north by St. Joseph's street, on the east by high road leading to Bolawalana and by land belonging to the heirs of Gabriel de Croos, on the south by land belonging to the heirs of Gabriel de Croos and Lucia Pinto, and on the west by watercourse ; containing in extent 5 acres more or less.

Amount to be levied Rs. 6,046.62, with interest on Rs. 5,000 at 24 per cent. per annum from May 17 to July 26, 1904, and thereafter at 9 per cent. per annum till payment, less Rs. 1,282.80.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, October 4, 1905.

In the District Court of Negombo.

Savanna Thana Lena Muna Muttiah  
Chetty of Negombo.....Plaintiff.  
No. 5,843. Vs.

(1) Mehidukulasuriya Patabendige Lucia Mathes, administratrix of the estate of the late Mehindukulasuriya Patabendige Domingo Fernando *alias* Anthony Domingo Fernando of 1st division, Hunupitiya, Negombo, (2) Jayasekera Mudalige Francisu Appuhamy, (3) Jayasekera Mudalige Elaris Appuhamy, (4) Jayasekera Mudalige Romel Appuhamy, all of Mohottimulla in Chilaw.....Defendants.

NOTICE is hereby given that on November 23, 1905, commencing at 10 o'clock in the forenoon, will be sold by public auction at the premises the following property specially hypothecated, viz. :—

1. The land called Wewagare *alias* Rukattanagahawatta and the buildings standing thereon, situate at 4th Division, Kurana, within the old gravets of Negombo; and bounded on the north by the road leading to Minuwangoda, on the east by the land and field belonging to the heirs of Domingo Fonseka, on the south by the lands belonging to Miguel Fernando, Francis Fernando, and others, and on the west by the sandy road and by the land belonging to Migel Fernando; containing in extent 1 acre and 12 perches more or less.

2. The land consisting of the two contiguous lots called Angurumarattaditotam and Talgahawatta *alias* Pangurumarattaditottam and the buildings standing thereon, situate at Sea street, within the gravets of Negombo; and bounded on the north by the land belonging to Madalena Fernando, deceased, and by the portion of this very land belonging to Maria Fernando, on the east by the road and by the land belonging to Maria Fernando, on the south by the land belonging to Warnaculasuriya Nicholan Fernando, and on the west by the high road; containing in extent  $26\frac{3}{4}$  perches more or less.

3. The undivided  $\frac{3}{4}$  of  $\frac{1}{2}$  share of the land called Kosgahawatta, situate at 2nd Division, Udayartoppu, within the gravets of Negombo, the said  $\frac{1}{2}$  being bounded on the north by the high road, on the east by the portion of this very land belonging to the heirs of Juan Sosa, on the south by the land belonging to Gabriel Croos and others, and on the west by the half of this land; containing in extent 3 roods more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Amount to be levied Rs. 2,184, with interest on Rs. 1,400 at 24 per cent. per annum from December 2, 1904, to March 14, 1905, and thereafter at 9 per cent. per annum till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, October 4, 1905.

In the District Court of Negombo.

Sawanna Thana Seena Wana *alias*  
Sawanna Thana Lena Muna Muttaiya  
Chetty of Negombo.....Plaintiff.  
No. 5,915. Vs.

(1) Wijelatpattirinnhelage Don Gregoris of Hapugahagama, (2) Walter Benjamin Rajapakse of Timbrigaskattuwa.....Defendants.

NOTICE is hereby given that on November 16, 1905, commencing at 10 o'clock in the fore-

noon, will be sold by public auction at the premises the following mortgaged property viz. :—

1. The garden called Migahawatta, situate at Tammita in Dunagaha pattu of Alutkuru korale; and bounded on the north by the land belonging to Lamina and others, on the east by the ditch and live fence separating the land belonging to Punchi Sinno and others, on the south by the live fence separating the land belonging to Jeelis Appu and others, and on the west by the live fence separating the land belonging to Thegis Appu and others; containing in extent 15 acres more or less.

2. The portion of field called Kahatagahalanda, situate at ditto; bounded on the north by the land of Karanis Appu, on the north-east and south-east by the Crown land, and on the west by the other portion of this land; containing in extent 2 acres more or less.

3. The land called Puhulehena, situate at Barawawila in ditto; bounded on the north by the Crown land, on the east by the land purchased by Anthony Fernando and others, on the south-west by the cart road; containing in extent 9 acres 1 rood and 21 perches more or less (excluding therefrom the portion in extent about 4 acres and 2 roods on the south-eastern side).

4. An undivided shares of the portion of land called Kahatagaha *alias* Dumimalagahawatupanguwa, situate at Hapugahagama in ditto, the entire land being bounded on the north by the live fence separating the land belonging to Karanis Appu, on the east by the live fence separating another portion of this land belonging to Gilan Appu and others, on the south by the live fence separating the land belonging to Jeeris Appu and others, and on the west by the land belonging to Jeeris Appu and others; containing in extent 6 acres more or less.

5. The land consisting of several contiguous portions called Kotakelagahawatta, Talgahawatta, and Dunumadegahawatta *alias* Talgahawatta, situate at Hapugahagama in ditto; bounded on the north by the land called Tekkawatta, on the east by the field belonging to the 1st defendant and others, on the south by land belonging to Sunchiappu, and on the west by the land belonging to Appurala; containing in extent 20 acres more or less; and declared liable to be sold in satisfaction of the decree entered in the above case.

Property not mortgaged.

6. The north-western  $\frac{1}{4}$  share of the land called Puwagahawatta and the buildings standing thereon, situated at ditto; bounded on the north-east by the land formerly of W. Carolis Appuhamy and now belonging to his heirs, on the east and south by a portion of this land belonging to W. Bandappu, on the south-west by the field belonging to Heeralupattirinnhelage Kusal Hamy and others; containing in extent 15 acres 1 rood and 30 perches more or less.

Amount to be levied Rs. 4,322, with interest on Rs. 3,650 at 30 per cent. per annum from February 14 to May 3, 1905, and thereafter at 9 per cent. per annum, till payment.

FRED. G. HEPPONSTALL,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Negombo, October 4, 1905.

In the District Court of Kalutara.

Patche Pulle Corera of Kalutara..... Plaintiff.

No. 2,897 Vs.

M. Alisan Appu Mudalali of Welipenna.....Defendant.

NOTICE is hereby given that on Monday, October 30, 1905, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property for the recovery of Rs. 2,918.40, with legal interest on Rs. 2,465.71 at 9 per cent. per annum from March 24, 1904, till payment in full, viz. :—

All that land called and known as Rubber estate, situated at Horawala in Pasdun korale, containing in extent about 85 acres; and bounded on the north by lands belonging to Don Thomas Jayanetti and Justin Jayanetti, east by Dalukgahadeniya belonging to natives and land belonging to Bastian Fernando, south by Menuanwilla and Mendoraduwa belonging to the natives, and on the west by Dikhenawatta and Novapuregodella.

B. HORSBURGH,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Kalutara, October 4, 1905.

#### Central Province.

In the District Court of Kandy.

Francis de Silva of No. 318, Trincomalee street of Kandy ..... Plaintiff.

Wickremesinghe Tilekeratne Rajakaruna  
Tennakon Mudianselage Paranagama  
Kumarihamy of Paranagama Walawwa  
in Tumpane Udapalata....Substituted Plaintiff.

No. 12,696. Vs.

Dehigama Atapattu Wahale Mudianse-  
ralahamillage Dingiri Amma *alias*  
Dehigama Kumarihamy of Katugas-  
tota Walawwa near Kandy, executrix  
of the last will and testament of Gira-  
gama Diyawadana Nilame, deceased,  
(2) Gohagade Sumana Unnanse of  
Nittawele Vihare, Kandy ..... Defendants.

Edmund Mark Pilimalawwe of Embelme-  
gama Walawwa in Yatinuwara, ad-  
ministrator *de bonis non* of the estate  
of late Giragama Diyawadana  
Nilame.....Substituted Defendant.

NOTICE is hereby given that on October 26, 1905, at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged and decreed to be sold by the judgment entered in this case :—

1. Yaddessahitiyawatta of about 15 lahas in paddy sowing extent, situate at Giragama in Medapalata of Yatinuwara; and bounded on the east by the ditch of Wada-attaywatta, on the south by the ditch of Motapolagedarawatta, on the west by the ditch of Gurunnehelawatta, and on the north by above Eriange, Balahapuwe, and Wadatta.

2. The lower 2 pelas in extent out of Ambeangekumbura of 5 pelas in extent in the whole, situate at Giragama aforesaid; and the said 2 pelas is bounded on the east by the inneare of Hatuwanawekumbura, on the south by the ella in Giragawalawwewatta, on the west by the dam of Tumpela, and on the north by Pattapolawatta-ella.

3. The field called Metiwalekumbura of 2 pelas of paddy sowing extent, situate at Giragama aforesaid; bounded on the east by wella of Ambeange, south by Walawwawatta-ella, west by Immawolla of Randipolakumbura, and on the north by Dunugala tea estate.

Amount of writ, Rs. 1,214.08

A. V. WOUTERSZ,  
Deputy Fiscal.

Fiscal's Office,  
Kandy, October 4, 1905.

In the District Court of Kandy.

Shelton Agar of Mount Temple, Gampola.. Plaintiff.

Walter James Agar, Thomas George Hayes,  
Oliver C. Shelton Agar, first set of  
substituted plaintiffs..... Plaintiffs.

Bengamin Rodrigo of Gampola.. Second Substituted  
Plaintiffs.

No. 15,501. Vs.

(1) Muna Mohamadu Ali, (2) Muna Mana  
Ana Muna Segu Abdulkader, both of  
Gampola ..... Defendants.

NOTICE is hereby given that on October 30, 1905, commencing at 12 o'clock noon, will be sold by public auction at the premises the following property mortgaged upon bond No. 1,008, dated October 12, 1900, and decreed to be sold by the judgment entered in this case, viz. :—

1. All that land called Paranacopiewatta, situate at Kahalapitiya in Udapalata, Kandy District; bounded on the east by Henigolle Demadawarakangawela, on the south by the ditch of Sirale's garden, on the west by Delgahacotuwahamy's chena, Appu's chena, and by the ditch of Wegirigeedara Sirala's chena, on and the north by the Demada of Kalugan Hamygeidama belonging to the Coast Moorman, the bo-tree, and by the ditches of the land belonging to Kirindewalawwa; containing in extent 17 acres 2 rods and 28 perches.

2. All that land called Appallagodehena, situate at Unambuwa in Gangapahala korala, Udapalata, Kandy District; bounded on the east by the fence of Tuwan's land, on the south by kebella tree standing on the remaining portion of this land belonging to Dingiri Etana, on the west by Paddadeniyakumbure-ella, and on the north by the kekuna tree standing on the remaining portion; in extent about 8 lahas of paddy sowing.

(b) All that land called Appallagodehena, situate at Unambuwa; bounded on the east by the limit of Thawar's land, on the south by the same land, on the west by ant-hill of Walawwehena, and on the north by the ditch and live fence of Bawagewatta; containing in extent 1 amunam of paddy.

(c) All that land called Appallagodehena, situate at Unambuwa; bounded on the east by fence of the chena of Kotmale Vidane, on the south by the fence of Ranahenaya's land, on the west by the fence of the lower portion of the chena of Bawa Lebbe, and on the north by Paniledeniya-ella; containing in extent about 1 pela of paddy sowing.

(d) All that land called Gurudeniyaehena, situate at Unambuwa; bounded on the east by the fence of Packeer Tuwan's land, on the north by Gurudeniya-kumbura, on the west by Weerapathra Thevai's land, and on the south by Meedeen Bawa's land; containing in extent about two amunams of paddy sowing.

(e) All that land called Appallagodehena, situate at Unambuwa; bounded on the east by the limit of the upper portion of Dehigahakotuwahena, on the south by Packeer Lebbe's land, on the west by ditch below Uduma Lebbe's land, and on the north by Weerapathra Thevai's land; containing in extent about 5 lahas of paddy sowing.



(f) All that land called Appallagodchena, situated at Unambuwa; bounded on the east by village limit on the south by the ditch that separates the remaining portion of this land and bo-tree, on the west by Paddadeniyakumbura, and on the north by Walawwehena; containing in extent about 2 pelas of paddy sowing extent.

All that land called Appallagodchena, situated at Unambuwa; and bounded on the east by the top of Appallagoda, on the south by jungle del tree, on the west by water-course, and on the north by milla tree; containing in extent about 5 lahas of paddy sowing.

(h) All that western portion of three pelas in extent of and in all that land called Appallagodchena of 5 amunams, situated at Unambuwa; bounded on the east by Vidanegohenakandura, on the south by kahata tree, on the west by Ratemahatmaya's chena, and on the north by roadway of Ibrahim Lebbe's chena; all those above eight lands are adjoining each other and now form one property.

3. All that higher portion of land to the other side of the road of and in all that land called Bogahamulahena, situated at Kahalapitiya; bounded on the east, north, and west by Muhammadu Ali's land, and on the south by Gansabhawa road; containing in extent about 1 pela paddy sowing.

4. All that eastern one-third share of and in all that land called Kalugalagedaragawahena, situated at Kahalapitiya; and bounded on the east by the fence of Ismail Lebbe Vedarala's chena, on the south by the field and by the ditch of Kalugalawatta, on the west by the Demada of Kirihamy's land, and on the north by the ditch of Welhenage Junais Appu's land; containing in extent about 1 amunam of paddy sowing; and all the right, title, interest, and claim whatsoever of the said defendants in to, upon, or out of the said several premises.

Amount of writ, Rs. 3,500.

A. V. WOUTERSZ,  
Deputy Fiscal.  
Fiscal's Office,  
Kandy, October 4, 1905.

In the District Court of Kandy.

Mawena Villasamy Kankany of Nilloomalay estate, Madulkele ..... Plaintiff.  
No. 15,601. Vs.

(1) Maimoon, (2) Muhamadu Mohideen, and (3) Muna Asankader Mohedeen of Hulu-ganga, Madulkele ..... Defendants.

NOTICE is hereby given that on October 30, 1905, at 12 o'clock noon, will be sold by public auction at the premises the right, title, and interest of the said 1st and 3rd defendants in the following property, viz. :—

1. An undivided half share of the land, buildings, and everything thereon out of Kovilagahatenna *alias* Kovilatennehena of 2 roods and 22 perches in extent, situated at Madulkele Kaludewale; bounded on the east by the land belonging to Don Andris Appuhamy, on the south by Hulu-ganga, on the west by the land belonging to Alexander Philip, and on the north by Alakolawatta para.

2. An undivided half share of Pallemullewatta of 5 acres 2 roods and 20 perches in extent, situated at Kosgama; bounded on the east by Elapaya, on the south-west and west by land belonging to Juan Perera and by the road from Knuckles estate to Panwila, on the north by the road leading from Panwila to Knuckles estate, and on the north-east by land appearing in plan No. 7,641; all situated in Palispattu of Lower Dumbara.

Amount of writ, Rs. 914.40 and interest.

A. V. WOUTERSZ,  
Deputy Fiscal.  
Fiscal's Office,  
Kandy, October 4, 1905.

### Southern Province.

In the District Court of Matara.

Hewa Visentige Don Bastian de Silva of Denepitiya ..... Plaintiff.  
No. 3,581. Vs.

Ahamadu Lebbe Marikkar Abdul Rahiman of Kohunugamuwa ..... Defendant.

NOTICE is hereby given that on the following days, commencing at 12 o'clock noon on each day, will be sold by public auction at the respective premises, in the following order, the right, title, and interest of the said defendant in the under-mentioned property, for the recovery of Rs. 889.90 and legal interest thereon from April 18, 1905, till payment in full, viz. :—

On October 30, 1905.

1. The garden called Dandiyalebbegewatta and the cadjanned house of 7 cubits standing thereon, situated at Kohunugamuwa in the Weligam korale of the Matara District; and bounded on the north by Hajitottam or Slemawatta *alias* Lindagawawatta, east by Musalebbegewatta, south by the river, and on the west by Julgahakoratuwa.

2. The planter's  $\frac{1}{3}$  share of the second plantation and  $\frac{53}{63}$  of the remaining fruit trees and of soil of the land called Telambugahawatta *alias* Musalebbe-gewatta, at ditto; and bounded on the north by Slemawatta and Paragahakoratuwa, east by Telambugahakoratuwa and Wedagewatta, south by river, west by Dondiyalebbegewatta and Lindagawawatta.

3. One-half of the soil and of the fruit trees, except planter's share of second plantation, of the land called Dombagahawatta *alias* Sinnatchiyawatta, at ditto; and bounded on the north by Elamulleuswatta or Peragahawatta, east by Pelawatta, south by Peragahawatta or Elamullewatta, and on the west by Paranawatta.

On October 31, 1905.

4. One-eighth of 7 bags extent of the paraveni divel land called Patiranagemedallewanekumbura, situated at Kiyanduwa in the Weligam korale aforesaid; and bounded on the north by Edandupitiya, east by road, south by Wela-arambewatta, and on the west by Midellewanewatta.

H. J. DE LIVERA,  
Deputy Fiscal's Office,  
Matara, September 30, 1905.

### Eastern Province.

In the District Court of Trincomalee.

Ratinamma, widow of S. Armogampillai of Division No. 6, Trincomalee ..... Plaintiff.  
No. 187. Vs.

(1) Canapathipillai Vallipurampillai and (2) wife Vallipillainayagam of Division No. 1, Trincomalee ..... Defendants.

NOTICE is hereby given that on Friday, October 27, 1905, at 11 o'clock in the morning, will be sold by public auction at the spots the right, title, and interest of the said defendants in the following property, viz. :—

Properties specially mortgaged.

1. A piece of field called Periyakayantivu, being lot No. 10,659, situated at Kandakaduveli attached to Kinyai in Tamblegam pattu, Trincomalee; bounded on the west and north by the field of Sinnacutty Tampar, and on the east and south by the field of M. M. Subramaniam and Vallipillainayagam, wife of Vallipurampillai; extent as per plaintiff's list, 31 acres 2 roods and 20 perches.



2. A piece of land formed of two allotments, situated at Tekilutu in Tamblegam pattu. Trincomalee, with cocoanut trees and other plantations, together with a well and all other rights belonging thereto; bounded on the north-east by the land belonging to the heirs of deceased K. Saddanathapillai, south-east by seashore used as old road, south-west by the land of C. Vallipurampillai, and north-west by jungle; extent as per plaintiff's list, including the road that passes through the land, is 2 acres 1 rood and 30.21 square perches.

On Monday, October 30, 1905, at 11 o'clock in the morning.

3. An undivided half share of a piece of land in Division No. 1, Trincomalee, with tiled Eraddai Natchar house and outhouse built thereon, well, plantations, and all appurtenances relating thereto; boundaries of the whole land are on the north-east by Mudaliyar's street, south-east by the land of M. M. Subramaniam, south-west by the land of M. M. Subramaniam and Vallipillainayagam, wife of Vallipurampillai, north-west by land and house of M. M. Subramaniam and others; extent 1 square rood and 16.6 square perches.

Writ amount Rs. 4,332.16, with interest at 9 per cent. per annum from December 9, 1904, till payment in full, provided such interest does not exceed Rs. 2,267.84 and costs Rs. 136.34½.

C. V. BRAYNE,  
Deputy Fiscal's Office, Deputy Fiscal.  
Trincomalee, September 28, 1905.

#### North-Western Province.

In the District Court of Chilaw.

Sina Kana Runa Sina Sedambaram  
Chetty of Madampe.....Plaintiff.  
No. 3,192. Vs.

Warnaculasuriya Kalugamage Jagarias  
Fernando Annawirala of Vennappuwa,  
administrator of the estate of the late  
W. K. Juwan Robert Fernando, de-  
ceased.....Defendant.

NOTICE is hereby given that on Monday, October 30, 1905, at 1 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said defendant in the following property, viz:—

1. An undivided  $\frac{1}{2}$  share of the land called Kekunagollemukalana bearing No. 6,915, in extent 31 acres 3 roods and 31 perches, situate at Watuwatta and Dorana Eba in Katugampola korale of the Katugampola hatpattu; and bounded on the north by land in plan No. 145,008 belonging to Jagarias Fernando Annawirala; east by Palugahahena belonging to Sinnappu and others, and W. Bandirala and others, the land Millagahahena belonging to W. Guruhamy, Palugahahena belonging to Crown; south by Godellehena belonging to Punchirala; and on the west by Batalahena belonging to Watuwatte Nilame.

On Tuesday, October 31, 1905, commencing at 1 P.M.

2. The land called Kekunagahamulahena of about 5 acres in extent, situate at Kanubichchiya in Katugampola korale of the Katugampola hatpattu; and bounded on the north by land of Haramanis Fernando, east by fence of garden Kahatagahawatta belonging to Philippu Fernando Gurunnanse; south by Yoda-ela; west by garden belonging to Ungurala Vedarala and others.

3. The land called Kahatagahawatta of about 7 acres in extent, situate at Kanubichchiya aforesaid; and bounded on the north by dewata road; east by land of Isseris Appuhamy; south by land Madugahamulapillewa belonging to Philippu Fernando Gurun-

nanse; and on the west by Kekunagahamulahena belonging to Philippu Fernando Gurunnanse and others.

4. The land called Madangahamulapillewa of about one rood in extent, situate at Kanubichchiya aforesaid; and bounded on the north by Yoda-ela, and Kahatagahawatta, east by Badalagewela, south by field, and on the west by fence of the garden of Vidane Appu.

Amount to be levied is Rs. 13,228.56, with interest and poundage.

C. V. REBEIRA,  
Fiscal's Office, Deputy Fiscal.  
Kurunegala, September 29, 1905.

In the District Court of Chilaw.

Kuna Lana Kana Seena Kulandawelan  
Chetty of Madampe.....Plaintiff.  
No. 3,294. Vs.

Simon Jayamanna of Madampe, presently  
at Dandagomuwa in Kurunegala Dis-  
trict.....Defendant.

NOTICE is hereby given that on Friday, November 3, 1905, commencing at 10 o'clock in the morning, will be sold by public auction at the premises of the defendant the right, title, and interest of the said defendant in the following property, viz:—

(a) The just undivided  $\frac{1}{2}$  share of the soil, coconut trees, and all productive trees of the land presently called and known as Dampitiyawatta, situated at Paranagama and Vilapala in Yagampattu korale in the District of Kurunegala, which consists of eleven allotments of land, to wit: (1) a just  $\frac{1}{2}$  share of Kahatagahamulahena, which is of the extent of about 8 lahas of kurakkan sowing soil, situated at Paranagama; (2)  $\frac{2}{3}$  shares of Kongahamulahena, which is of the extent of about 8 lahas of kurakkan sowing soil, situated at Paranagama; (3) Makullagahamulahena, which is of the extent of about 5 lahas of kurakkan sowing soil, situated at Paranagama; (4)  $\frac{5}{6}$  shares of Madangahamulahena, which is of the extent of about 6 lahas of kurakkan sowing soil, situated at Vilapala; (5) Goroggahamulahena, which is of the extent of about 3 lahas kurakkan sowing soil, situated at Vilapala; (6) a just  $\frac{1}{2}$  share of Kahatagahamulahena, which is of the extent of about 2 lahas of kurakkan sowing soil, situated at Paranagama; (7) Elagawahena, which is of the extent of about 2 lahas of kurakkan sowing soil, situated at Paranagama; (8) Kowulehena, which is of the extent of about 1 parrah of kurakkan sowing soil, situated at Vilapala; (9)  $\frac{1}{5}$  share towards the western boundary from Paspanguhena, which is of the extent of about 5 lahas of kurakkan sowing soil, situated at Vilapala; (10)  $\frac{1}{2}$  share of Nedungahamulahena, which is of the extent of about 6 lahas of kurakkan sowing soil, situated at Vilapala; and (11) Kahatagahamulahena, which is of the extent of about 2 lahas of kurakkan sowing soil, situated at Vilapala; the entire land being of the extent of about 50 acres; and bounded on the north by Paranagama Gangoda, on the east by Demandaluwe Welyaya and otha, on the south by Yodaewatta belonging to the defendant, and on the west by cart road leading to Paranagama.

(b) The soil, coconut trees, and all the other productive trees of the land called Yodaewatta, situated at Vilapala in Yagam pattu korale of the Kurunegala District, which consists of eight contiguous allotments of land, to wit: (1)  $\frac{1}{2}$  share of Wanehena, which is of the extent of about 5 lahas of kurakkan sowing soil, situated at Vilapala; (2)  $\frac{1}{2}$  share of Kolongahamulahena, which is of the extent of about 1 parrah of kurakkan sowing soil, situated at Vilapala; (3)  $\frac{1}{6}$  share of Kahatagahahena, which is of the extent of about 30 bushels kurakkan sowing soil, situated at Vilapala; (4)  $\frac{1}{18}$  share of Hayapanguwehena,

which is of the extent of about 8 parrals of kurakkan sowing soil, situated at Vilapola; (5)  $\frac{1}{5}$  share of Hayapanguwehena, which is of the extent of about 2 pelas of kurakkan sowing soil, situated at Vilapola; (6)  $\frac{1}{7}$  share of Hayapanguwehena, which is of the extent of about 2 amunams of kurakkan sowing soil, situated at Vilapola; (7) 25 acres of land from Yodayaælehena, which is of the extent of about 3 amunams, situated at Vilapola; and (8)  $\frac{1}{4}$  of  $\frac{1}{6}$  share from Hayapanguwehena, which is of the extent of about 2 pelas of kurakkan sowing soil, situated at Vilapola; the entire land being of the extent of about 250 acres; and bounded on the north by the aforesaid Dampitiywatta belonging to the defendant and Francis Wanigaratna, on the east by Godaela and Dandagomuweoya, on the south by kalumediriya tree and live fence, and on the west by live fence.

(c) The undivided  $\frac{1}{4}$  share of the land called Dampitiywatta, together with cocoanut trees and all other productive trees standing thereon, situated at Paranagama and Vilapola in Yagam pattu korale of the District of Kurunegala, the entire land being of the extent of about 50 acres; and bounded on the north by Paranagama Gangoda, on the east by Demandaluwewelyaya and otha, on the south by Yodælewatta belonging to the defendant, and on the west by the cart road leading to Paranagama.

Amount to be levied is Rs. 6,915.60, with interest and poundage.

C. V. REBEIRA,  
Deputy Fiscal.

Fiscal's Office,  
Kurunegala, October 4, 1905.

In the District Court of Puttalam.

M. A. P. S. N. Supperamanian Chetty of  
Puttalam ..... Plaintiff.

No. 1,442. Vs.

Don John Fonseka Wijayawardana  
Abaiyakoon, Mudaliyar, and Joseph  
Ratnayake of Puttalam ..... Defendants.

NOTICE is hereby given that on Saturday, October 28, 1905, at 2 o'clock in the afternoon, will be sold by public auction at the premises the right, title, and interest of the said second defendant in the following property, viz. :—

An undivided one-half share of the land called Mavadiuchcham *alias* Tammanawalawuwatta, bearing assessment No. 63 (formerly No. 17), situated at Chenaikkudyiruppu in Puttalam; containing in extent about 57 acres, with cocoanut trees, buildings, and other appurtenances; bounded on the north by property of the Crown and by property of Ur Marakayar Abdul Asis Magudu Nayina Marakayar and others, east by garden of P. F. Navaratne now belonging to Alfred Nawaratne and by a ditch, south by Anuradhapura road, and on the west by the property of Wirasinghe Philipa Navaratne Lama Ettane and by others and by a ditch.

Amount of writ Rs. 10,246.26, with further interest on Rs. 8,000 at  $1\frac{1}{4}$  per cent. per mensem from October 1, 1900.

F. BOWES,  
Deputy Fiscal.

Deputy Fiscal's Office,  
Puttalam, September 29, 1905.